



Province of Alberta

LIVESTOCK INDUSTRY DIVERSIFICATION ACT

Revised Statutes of Alberta 2000
Chapter L-17

Current as of November 1, 2014

Office Consolidation

© Published by Alberta Queen's Printer

Alberta Queen's Printer
7th Floor, 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

Copyright and Permission Statement

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20__.*

*The year of first publication of the legal materials is to be completed.

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 *Livestock Industry Diversification Act* that are filed as Alberta Regulations under the Regulations Act

Alta. Reg.	<i>Amendments</i>
-------------------	-------------------

Livestock Industry Diversification Act

Domestic Cervid Industry	188/2014
--------------------------------	----------

LIVESTOCK INDUSTRY DIVERSIFICATION ACT

Chapter L-17

Table of Contents

1	Interpretation
	Administration
2	Director and inspectors
3	Terms and conditions of permissions, etc.
	Diversified Livestock Farm Licences
4	Requirement for farm licence to operate farm
5	Application for licence
6	Issue or refusal of licence
7	Cancellation and suspension of farm licences
8	Appeal against refusal, cancellation or suspension
9	Effect of cancellation
10	Terms and conditions of licence
	Permits
10.1	Permits — issuance, alternatives and terms of conditions
	Operation of Diversified Livestock Farms
11	Identification and registration of animals
12	Restriction on animal species on farm
13	Separation of live authorized animals from others
13.1	Release into the wild
14	Containment
15	Entry to and exit from farm
16	Animal records and reports
18.01	Hunting

Possession and Commerce

- 18.02** Possession of animals
- 18.1** Transportation
- 19** Importation and exportation

Miscellaneous

- 25** Claims against the Crown
- 26** Entry and inspection
- 27** Hindrance or obstruction
- 28** Signs and notices
- 29** False or misleading information
- 30** Offences and penalties
- 31** Limitation of time for prosecution
- 32** Vicarious liability
- 33** Lieutenant Governor in Council regulations
- 34** Ministerial regulations
- 35** Scope of regulations

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

Interpretation

1(1) In this Act,

- (a) repealed 2011 c12 s2;
- (b) “authorized diversified livestock animal” means, in relation to a diversified livestock farm, a diversified livestock animal of a species whose retention on that farm is specifically authorized by the licence or is authorized by section 12(b);
- (c) “Court” means the Court of Queen’s Bench;
- (c.1) “Crown” means the Crown in right of Alberta;
- (d) “Director” means the employee of the Crown working in the Department administered by the Minister who is designated in writing by the Minister as the Director for the purposes of this Act;
- (d.01) “diversified livestock animal” means either a present or a prospective diversified livestock animal;
- (d.02) “diversified livestock farm” or “farm” means a place where live diversified livestock animals are kept or, if a licence is

granted, will be kept, but does not include a veterinary clinic, an abattoir within the meaning of the *Meat Inspection Act*, a temporary holding facility or any other place where live diversified livestock animals are kept for some temporary purpose only;

- (d.1), (e) repealed 2011 c12 s2;
- (f) repealed 2003 c26 s2;
- (g) repealed 2011 c12 s2;
- (h) “inspector” means an individual appointed as an inspector under section 2(2);
- (i) “licence” means a licence under this Act authorizing the operation of a diversified livestock farm;
- (j) repealed 2011 c12 s2;
- (k) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (l) “operator” means, in relation to a diversified livestock farm, a person who holds or is required by this Act to hold the licence, or a former licensee whose farm is being operated pursuant to section 9;
- (l.1) “permit”, except in section 10.1(1) and (3), means a valid and subsisting instrument referred to in section 10.1(1) or (3);
- (m) “person” includes a partnership or other unincorporated group of persons;
- (m.1) “prescribed”
 - (i) in the expression “prescribed by the Lieutenant Governor in Council” means prescribed or otherwise provided for by regulations made by the Lieutenant Governor in Council, and
 - (ii) otherwise, means prescribed or otherwise provided for by regulations made by the Minister;
- (m.2) “present diversified livestock animal” means an animal of a species prescribed by the Lieutenant Governor in Council that does not belong to the Crown, to the Crown in right of Canada or to a private owner who maintains it pursuant to a

permit within the meaning of the *Wildlife Act*, that is identified and registered and that is in containment in Alberta, but does not include any of its exuviated parts;

- (n) “prospective diversified livestock animal” means a species animal that is not a present diversified livestock animal, that is in containment and
 - (i) that is registered or identified or respecting which there exists evidence of a reasonably and lawfully held intention to register or identify it,
 - (ii) that is a present diversified livestock animal except only that it is in containment elsewhere than in Alberta, or
 - (iii) that does not belong to the Crown, to the Crown in right of Canada or to a private owner who maintains it pursuant to a permit within the meaning of the *Wildlife Act*, and is progeny of a female diversified livestock animal,

and “prospective” is to be taken as relating to such an animal;

- (n.1) “record” includes
 - (i) an account, book, return, statement, report, document or memorandum of information whether in writing or in electronic form or represented or reproduced by any other means, and
 - (ii) the results of the recording of details of electronic data processing systems and programs to illustrate what the systems and programs do and how they operate;
- (o) repealed 2011 c12 s2;
- (p) “species” includes subspecies;
- (q) “species animal”
 - (i) where the phrase is used in a provision that relates to a diversified livestock farm, means any animal of the same species as an authorized diversified livestock animal, and
 - (ii) otherwise, means any animal of the same species as any present diversified livestock animal,

whether or not that animal is a diversified livestock animal;

- (r) “stray”,
 - (i) used as a noun, means a live diversified livestock animal that has escaped or been released from confinement and has not been captured, and
 - (ii) used as a verb, means escape or be released from confinement, before or without being captured;
- (s) “this Act” means this statute and the regulations;
- (t) “wildlife” has the meaning assigned to it in the *Wildlife Act*.

(2) Repealed 2011 c12 s3.

(3) For the purposes of this statute, a species animal is in containment if it is in prescribed circumstances and in captivity or otherwise under confinement by humankind, whether in Alberta or elsewhere (unless otherwise specified), except that an animal that strays, is captured within the prescribed period and continues to meet the prescribed circumstances does not cease to be in containment.

(4) Repealed 2011 c12 s3.

(5) References in this Act to any statute are to be taken to include references to regulations, if any, made under it.

(6) Except where specified or where the context otherwise requires, a reference in this Act to any animal shall be construed as a reference to an animal whether it is alive or dead, and to include any part of the animal, including tissue or genetic material removed from the animal, but, except as prescribed, not to include exuviated parts of the animal.

(7) A reference in this Act generally to the performing of any act is to be treated as including a reference to an omission so to act.

(8) The Minister may, for the purposes of this statute or specified provisions of this statute, by regulation define any expression used but not defined in this statute, in which case the expression has the meaning so defined.

(9) Subject to this Act, a reference in this Act to any permission is to be treated as referring to such a permission in writing.

RSA 2000 cL-17 s1;2003 c26 ss2,3,16;2011 c12 ss2,3

Administration

Director and inspectors

2(1) The Director may delegate all or any of the Director's powers and duties under this Act to an employee of the Crown working in the Department administered by the Minister.

(2) The Minister may in writing appoint individuals as inspectors for the purpose of assisting the Director in the administration and enforcement of this Act.

RSA 2000 cL-17 s2;2011 c12 s4

Terms and conditions of permissions, etc.

3(1) A permission, order or other decision of the Minister or the Director pursuant to this Act, including a permit, may be made subject to any terms and conditions that the Minister or Director considers appropriate.

(2) A person shall not contravene any term or condition imposed under subsection (1).

RSA 2000 cL-17 s3;2011 c12 s5

Diversified Livestock Farm Licences

Requirement for farm licence to operate farm

4(1) A person shall not operate a diversified livestock farm unless its operation is authorized by a licence.

(2) A person is not eligible to acquire or to hold a licence unless

- (a) the person holds an estate in land comprising or including the area on which the farm will be or is situated and that estate is registered under the *Land Titles Act*,
- (b) the person holds Metis title, provisional Metis title, an allotment or a leasehold interest in land comprising or including the area on which the farm will be or is situated and that interest is registered in the Metis Settlements Land Registry, or
- (c) the person is in possession of that land under written arrangements made with the person referred to in clause (a) or (b) who would otherwise be in possession of it and a copy of those arrangements has been provided to the Director.

RSA 2000 cL-17 s4;2003 c26 s16;2011 c12 s6

Application for licence

5(1) A person wishing to apply for a licence must apply to the Director in the form provided by the Director.

(2) The Director may, by notice in writing, require the applicant to provide to the Director any further information about the farm or its proposed operation that the Director considers necessary to enable the Minister to determine whether the application should be granted or refused and the appropriate terms and conditions, if any, to attach.

1990 cL-22.7 s5

Issue or refusal of licence

6(1) The Minister may issue a licence to the applicant respecting the farm specified in the application if

- (a) the applicant is eligible under section 4(2),
- (b) the applicant has complied with section 5(1) and with any notice under section 5(2),
- (c) the Minister considers that the farm and its proposed operation, as specified in the application, would conform with this Act,
- (c.1) the applicant satisfies the Minister that the farm contains no live species animals that are not authorized diversified livestock animals,
- (d) the Minister considers that the application accurately reflects the actual or proposed circumstances respecting the farm, and
- (e) the applicant pays the prescribed fee.

(2) A licence must be in the prescribed form and must specify the precise location and boundaries of the farm.

(3) The Minister shall not issue a licence authorizing the operation of a farm or any part of a farm on land belonging to the Crown that is

- (a) under the administration of the Minister responsible for the *Public Lands Act*, or
- (b) under the administration of the Minister responsible for the *Special Areas Act* and within a special area constituted under that Act.

(4) The Minister may endorse any terms and conditions on the licence, and the rights attached to the licence are subject to those terms and conditions and to any other terms and conditions of the licence that are prescribed.

(5) A licence may not be transferred by its holder to any other person.

(6) Subject to this Act, the term of a licence is the term that is prescribed.

(7) The Minister shall forthwith notify the applicant in writing, with reasons, if the Minister refuses a licence.

RSA 2000 cL-17 s6;2003 c26 s4;2011 c12 s7

Cancellation and suspension of farm licences

7(1) The Minister may, by giving notice in writing to the licensee or the former licensee, as the case may be, cancel or suspend a licence if the Minister is satisfied that that person has contravened or allowed the contravention of any provision of this Act or any prescribed provision of any other prescribed Act.

(2) The Minister may cancel a licence on the written request of the licensee.

RSA 2000 cL-17 s7;2006 cL-16.2 s99;2007 cA-40.2 s75;
2011 c12 s8

Appeal against refusal, cancellation or suspension

8(1) A person whose application for a licence has been refused or whose licence has been cancelled or suspended under section 7(1) may appeal the refusal, cancellation or suspension by serving the Minister with a notice of appeal within 30 days after being notified of the refusal, cancellation or suspension, as the case may be.

(2) The Minister shall, within 30 days after being served with the notice of appeal, appoint an appeal board consisting of not fewer than 3 and not more than 5 persons to hear the appeal.

(3) The Minister shall designate one of the members of the appeal board to be its chair.

(4) The Minister may specify in writing the time within which the appeal board is to hear the appeal and give a decision, and the Minister may extend that time.

(5) The appeal board may, by order,

- (a) confirm the refusal to issue a licence or the cancellation or suspension of a licence,
- (b) direct that the application for a licence be approved,
- (c) remove a suspension of a licence, or
- (d) reinstate a cancelled licence for the duration of its term,

and the appeal board shall forthwith notify the Minister and the appellant of its decision.

(6) The Minister or the applicant, licensee or former licensee may appeal the decision of the appeal board by filing an application with the Court within 30 days after being notified in writing of the decision, and the Court may make any order that an appeal board can make under subsection (5).

(7) The Minister may pay reasonable fees and expenses to any members of the appeal board who are not employees of the Crown.

(8) An appeal under this section does not operate as a stay of the decision appealed against.

RSA 2000 cL-17 s8;2009 c53 s101;2011 c12 s9

Effect of cancellation

9(1) Notwithstanding section 4(1), where a licence has been cancelled or suspended under section 7(1), the farm may continue to be operated without a licence for 3 months after the effective date of the cancellation or suspension, but only to the extent that is necessary to allow the orderly liquidation of the farm operation.

(2) The Minister may, on the written application of the licensee or former licensee, in writing extend the initial 3-month period referred to in subsection (1) for one further period of up to 3 months where the Minister considers that circumstances justify an extension, but no further extensions are permitted.

(3) The licensee or former licensee shall take the prescribed actions with respect to the farm or the animals on it, or both.

RSA 2000 cL-17 s9;2011 c12 s10

Terms and conditions of licence

10 An operator shall not contravene any of the terms or conditions of

- (a) the licence, or
- (b) where the farm is being operated pursuant to section 9, the licence in force immediately before the effective date of the cancellation or suspension.

RSA 2000 cL-17 s10;2011 c12 s11

Permits

Permits — issuance, alternatives and terms and conditions

10.1(1) The Minister may issue a permit authorizing a prescribed activity that would or could otherwise constitute a contravention of this Act.

(2) For the avoidance of any doubt, the Minister may not prescribe for the purposes of subsection (1) any activity to which section 18.01 relates.

(3) The Minister may, instead of issuing a permit, by regulation provide for a permit, licence or other kind of permission under other legislation of Alberta or another jurisdiction as the authorization for the activity referred to in subsection (1).

(4) Section 6(4) applies with respect to a permit as it applies to a licence, and a person shall not contravene any terms or conditions of the permit.

2011 c12 s12

Operation of Diversified Livestock Farms

Identification and registration of animals

11(1) Where a live authorized diversified livestock animal that is prospective is brought onto a farm, the operator shall, within 30 days from that time, have it

- (a) registered, and
- (b) unless it is progeny that is not yet weaned, identified.

(2) Subject to subsection (1), an operator shall have live progeny born to a female authorized diversified livestock animal registered and identified before the prescribed dates.

(a), (b) repealed 2003 c26 s5.

(3) Where there is a live authorized diversified livestock animal that is prospective on a farm under any circumstances other than those described in subsections (1) and (2), the operator shall have it registered and identified at the earliest practicable time.

(4) Notwithstanding anything in this section, an operator shall not have a prospective diversified livestock animal

- (a) registered or identified unless it is then held in containment on the farm,

- (b) registered or identified if it is then in quarantine or in isolation on the farm under any law, or
- (c) identified if it then belongs to a person or entity referred to in section 1(1)(m.2).

(5) Where registration or identification, or both, are delayed by virtue of the application of subsection (4)(b), the operator shall have the animal registered or identified, or both, within 30 days after the end of the period of quarantine or isolation.

(6), (7) Repealed 2011 c12 s14.

RSA 2000 cL-17 s11;2003 c26 ss5,16;2011 c12 s14

Restriction on animal species on farm

12 An operator shall not permit a diversified livestock animal to be held on the diversified livestock farm unless

- (a) the licence specifically authorizes animals of the species to which that animal belongs to be kept on the farm, or
- (b) where the farm is being operated pursuant to section 9, the licence, immediately before the effective date of the cancellation or suspension, specifically authorized animals of the species to which that animal belongs to be kept on the farm.

RSA 2000 cL-17 s12;2003 c26 ss6,16;2011 c12 s15

Separation of live authorized animals from others

13(1) An operator shall make reasonable efforts to ensure that live authorized diversified livestock animals on the diversified livestock farm are kept there and that other live species animals are kept off the farm.

(2) If a live species animal that is not an authorized diversified livestock animal found on a farm, the operator shall forthwith notify the Director or an inspector of that fact.

(3) Subsection (1) does not apply to diversified livestock animals lawfully taken off the farm.

RSA 2000 cL-17 s13;2002 c30 s21;2003 c26 ss7,16;
2011 c12 s16

Release into the wild

13.1 A person shall not wilfully or negligently release a live diversified livestock animal from its containment.

2003 c26 s8;2011 c12 s17

Containment

14 An operator shall ensure that the operator's farm at all times has enclosures, pens and handling facilities that

- (a) so far as practicable, are capable of ensuring that live authorized diversified livestock animals in them are kept inside them and other live species animals are kept outside them, and
- (b) conform to the prescribed requirements.

RSA 2000 cL-17 s14;2003 c26 s16;2011 c12 s18

Entry to and exit from farm

15(1) Except as prescribed, an operator shall not allow a live prospective diversified livestock animal to leave the farm.

(2) A licensee or former licensee whose licence has been cancelled or suspended shall not allow any diversified livestock animals

- (a) into, or
- (b) out of

the farm without the Director's permission.

RSA 2000 cL-17 s15;2003 c26 ss9,16;2011 c12 s19

Animal records and reports

16(1) An operator shall keep the prescribed records of all diversified livestock animals kept on the farm, including records of births and deaths.

(2) An operator shall submit reports about the farm and the diversified livestock animals kept there to the Director in the form and at the intervals prescribed.

(3) The Director may, by notice in writing, require an operator to submit to the Director, within the time and in the form or manner stated in the notice,

- (a) any information required by the notice that relates or is incidental to the farm operation or to the animals on the farm,
- (b) any information pertaining to any records that relate to that operation or those animals and that are sufficiently described in the notice to enable their identification, and
- (c) any samples or specimens specified in the notice.

(4) The operator shall comply with the notice, but may comply with a notice under subsection (3)(b) by permitting an inspector to inspect the records to which the notice relates and, on the request of that inspector, to take them away for further examination or copying.

(5) A record taken away under subsection (4) shall be returned to the operator within 7 days after it was taken or within any longer period that the Court directs for cause or that is agreed to by the operator.

(6) An application to the Court under subsection (5) is to be made on notice to the operator.

RSA 2000 cL-17 s16;2003 c26 s16;2011 c12 s20

17, 18 Repealed 2011 c12 s21.

Hunting

18.01(1) A person shall not hunt nor permit a person to hunt

- (a) a big game or controlled animal within the assigned meanings in the *Wildlife Act* on any diversified livestock farm, or
- (b) a diversified livestock animal.

(2) Subsection (1) does not apply to any activity

- (a) on a farm
 - (i) that is undertaken for the purpose of the control or prevention of depredation by black bears or cougars, or
 - (ii) that is specifically authorized by or under a licence under the *Wildlife Act* authorizing the control of wildlife depredation,

or

- (b) that is specifically authorized by or under the *Agricultural Pests Act*.

(3) A person who is not on a farm but who hunts an animal that is on the farm is to be treated for the purposes of subsection (1) as hunting on the farm.

2011 c12 s21

Possession and Commerce

Possession of animals

18.02(1) Except as prescribed and subject to subsection (2), a person shall not be in possession of a diversified livestock animal.

(2) Subject to this Act, a person may have a diversified livestock animal in possession

- (a) if and to the extent that the person is authorized by a licence or permit to do so, or
- (b) in the case of a dead animal, if all applicable provisions of this Act and the *Meat Inspection Act* or the *Meat Inspection Act* (Canada) have been or are being met with respect to it.

2011 c12 s21

Transportation

18.1 Except as prescribed, a person shall not transport a diversified livestock animal anywhere outside a diversified livestock farm except in accordance with a permit.

2003 c26 s10;2006 cL-16.2 s99;2011 c12 s21

Importation and exportation

19(1) Except as prescribed, a person shall not import a live prospective diversified livestock animal into Alberta unless the importation of that animal is specifically authorized by a permit.

(2) Except as prescribed, a person shall not export from Alberta

- (a) a prospective diversified livestock animal, or
- (b) a present diversified livestock animal unless the exportation of that animal is specifically authorized by a permit.

RSA 2000 cL-17 s19;2003 c26 s16;2011 c12 s21

20 to 24 Repealed 2011 c12 s21.

Miscellaneous

Claims against the Crown

25 Notwithstanding any other law, no right of action lies and no right of compensation exists against the Crown, the Minister, the Director or an inspector for any act done by any of them in good faith while exercising powers or performing duties under this Act.

RSA 2000 cL-17 s25;2011 c12 s22

Entry and inspection

26(1) The Director or an inspector may, without obtaining a warrant, enter at any reasonable hour

- (a) any premises, other than the living quarters of a private dwelling, used in connection with the operation of a farm, or
- (b) any vehicle that the Director or inspector has reasonable and probable grounds to believe is being or has been used to transport diversified livestock animals,

to inspect the premises or vehicle or any animal found in or on them or it or any records required to be kept by this Act.

(2) If the Director or an inspector on reasonable and probable grounds believes that there is in the living quarters of a private dwelling evidence of a contravention of this Act, the Director or inspector may obtain a warrant to enter the private dwelling for the purpose of inspecting those quarters or any animal found in them or any records required to be kept by this Act.

(3) Before entering the living quarters under subsection (2), the Director or inspector shall take reasonable steps to find the occupant and shall endeavour to obtain the occupant's consent.

(4) An operator shall, for the purpose of an inspection under this section, give all reasonable assistance to the Director or the inspector carrying out the inspection and provide access to all relevant areas of the farm and provide all information, records and documents required to be kept by this Act.

(5) The Director or an inspector acting under the authority of this section shall, on request, produce a certificate of the Director's or inspector's appointment to the owner or occupant of the premises or vehicle.

(6) In exercising any prescribed powers under this section, the Director or an inspector is subject to any prescribed restrictions.

RSA 2000 cL-17 s26;2003 c26 s16;2011 c12 s23

Hindrance or obstruction

27 A person shall not hinder or obstruct any person in the exercise of that person's powers or the performance of that person's duties under this Act.

1990 cL-22.7 s27

Signs and notices

28 A person shall not alter, destroy or remove any sign or notice erected for the purposes of or to facilitate the administration or enforcement of this Act.

RSA 2000 cL-17 s28;2011 c12 s24

False or misleading information

29 A person shall not wilfully give false or misleading information to any person acting in the exercise of that person's powers or the performance of that person's duties under this Act.

RSA 2000 cL-17 s29;2011 c12 s25

Offences and penalties

30 A person who contravenes any provision of this Act is guilty of an offence against this statute and liable

- (a) in the case of an offence against section 4, 10.1(4), 18.01(1), 18.02(1) or 19(1) or (2), to a fine of not more than \$50 000 or to imprisonment for a term of not more than 12 months, or to both,
- (b) in the case of an offence against section 12, 13, 14 or 16(1), to a fine of not more than \$5000 or to imprisonment for a term of not more than one month, or both,
- (c) in the case of an offence against section 15(1) or 15(2), to a fine of not more than \$10 000 or to imprisonment for a term of not more than 6 months, or both,
- (d) in the case of an offence against section 13.1, to a fine of not more than \$10 000 or to imprisonment for a term of not more than one year, or both,
- (e) in the case of an offence against section 11 or 16(2), to a fine of not more than \$1000, and
- (f) in any other case, subject to regulations made under section 34(1)(n), to a fine of not more than \$2500 or to imprisonment for a term of not more than one month, or to both.

RSA 2000 cL-17 s30;2003 c26 s15;2011 c12 s26

Limitation of time for prosecution

31 A prosecution in respect of an offence against this statute may not be commenced later than 2 years after

- (a) the date when the act allegedly constituting the offence was committed, or

- (b) the date when evidence of the alleged offence first came to the attention of the Director or an inspector,

whichever is the later.

RSA 2000 cL-17 s31;2011 c12 s27

Vicarious liability

32(1) In the prosecution of an operator for an offence against this statute, it is sufficient proof of the offence if it is proved to the satisfaction of the court trying the case that

- (a) the provision was contravened by an employee or agent of the operator while acting in the course of the employee's employment or the agent's agency functions, and
- (b) the operator consented to or knew about or should fairly be regarded as having consented to or having known about the circumstances giving rise to that contravention,

whether or not the employee or agent has been prosecuted for the contravention.

(2) Subsection (1) does not apply if the accused establishes that the act alleged to constitute the offence was done in direct disobedience of an order given by the accused.

(3) Where it is proved to the satisfaction of the court trying a case that a corporation has contravened any provision of this Act, whether or not it has been prosecuted for the contravention, an officer with executive authority or a director or agent of the corporation who directed, authorized, assented to, acquiesced in or participated in the contravention by the corporation is also a party to and guilty of the offence relating to the contravention and is separately liable to the penalty provided for the offence.

(4) Notwithstanding anything in section 30, where a person is convicted of an offence by virtue of the application of subsection (1), (2) or (3), that convicted person is not liable to imprisonment with respect to that offence or for default in the payment of any fine or other payment of money imposed or ordered.

RSA 2000 cL-17 s32;2011 c12 s28

Lieutenant Governor in Council regulations

33(1) The Lieutenant Governor in Council may make regulations

- (a) respecting the genetic composition of diversified livestock animals allowed or prohibited on farms;
- (b) prescribing anything that by this Act may or is to be prescribed by the Lieutenant Governor in Council.

(2) The Lieutenant Governor in Council may, on the Minister's recommendation following consultation by the Minister on the subject-matter with the Minister responsible for the *Wildlife Act*, make regulations

- (a) prescribing species for the purpose of section 1(1)(m.2);
- (b) respecting the ownership of diversified livestock animals, including the conditions under which the private ownership of strays ends and changes to ownership by the Crown or otherwise;
- (c) respecting the conditions under which the status of strays as diversified livestock animals ends and changes to that of wildlife or otherwise.

(3) Regulations made under subsection (2)(a) may not prescribe fur-bearing animals within the meaning of the *Fur Farms Act*.

RSA 2000 cL-17 s33;2003 c26 s16;2011 c12 s29

Ministerial regulations

34(1) The Minister may make regulations

- (a) respecting licences and permits, including
 - (i) establishing fees payable in respect of them,
 - (ii) establishing and specifying the activities authorized by or under them,
 - (iii) specifying qualifications required to obtain and hold them,
 - (iv) establishing conditions precedent to obtaining them, and
 - (v) with respect to permits, any other subject-matters generally dealt with in sections 4 to 10, but suitably adapted for permits;
- (a.1) respecting the registration and identification of prospective diversified livestock animals;
- (a.2) with respect to diversified livestock animals, respecting
 - (i) their possession,
 - (ii) their importation to or exportation from Alberta,
 - (iii) their transportation and movement to and from farms,

- (iv) the proving of their ownership, identification, registration or status, and
 - (v) their marketing, or other commercial activities with respect to them;
- (a.3) respecting strays and straying, including the capture or killing of strays by or on behalf of the operators on condition that no consideration is receivable in respect of that activity by an operator or by any person associated with an operator;
 - (a.4) respecting circumstances where any wildlife is found or suspected on farms or otherwise in containment and establishing prohibitions or restrictions on prescribed activities on farms;
 - (a.5) respecting places or circumstances where any diversified livestock animals are found or suspected, whether in containment or not, and establishing prohibitions or restrictions with respect to those places or circumstances;
- (b) providing for the control of inventories of diversified livestock animals on farms;
 - (c) providing for measures to be taken by operators for the purpose of maintaining their farms in a sanitary condition and for the control of animal diseases;
 - (d) providing for the procedures to be used for the removal of specified parts and products from specified diversified livestock animals and for marking parts and products so removed;
 - (e) providing rules for the humane care of diversified livestock animals;
 - (f) repealed 2011 c12 s30;
 - (g) prescribing anything that by this Act may or is to be prescribed by the Minister;
 - (h) respecting the enforcement of provisions of this Act;
 - (i) respecting evidentiary matters relating to the administration or enforcement of provisions of this Act;
 - (j) respecting the recording and reporting of information by licensees or permittees and by former licensees referred to in section 9;

- (k) respecting liability for damage and expense caused by strays or attempts to capture or kill strays;
- (l) respecting the health of diversified livestock animals or animals about to become prospective diversified livestock animals;
- (m) respecting the inspection by the Director or inspectors of farms and associated vehicles and of activities referred to in clause (a)(ii) and respecting investigations of alleged or suspected contraventions of this Act;
- (n) providing for penalties in respect of offences against this statute created by regulations;
- (o) exempting or excluding from the application of all or any portion of this Act, except section 18.01, whether conditionally or unconditionally, any class of person, animal or activity;
- (p) respecting appeals under section 8;
- (q) enacting further provisions reflecting the transition resulting from the enactment of the *Livestock Industry Diversification Amendment Act, 2011* and in particular the change in the status of diversified livestock animals.

(2) The Minister may, for the purposes of this Act, make regulations applying any provisions of the *Livestock Identification and Commerce Act*, the *Stray Animals Act* or any provisions (including in particular Parts 6, 7 and 8) of the *Wildlife Act* and may adapt any such provisions as the Minister considers appropriate to the context of this Act or otherwise considers advisable.

(3) A specific prohibition or restriction that is contained in the regulations prevails, in the event of any inconsistency, with a more general allowance or other form of permission that is contained in this statute.

RSA 2000 cL-17 s34;2003 c26 s16;2011 c12 s30

Scope of regulations

35 Regulations made under this statute may be made to apply generally or to particular classes of persons or to particular animals or kinds or numbers of animals, to particular parts or progeny of animals or animals of a particular sex, age, growth, size or other characteristic, or to particular periods of time or areas of Alberta.

2011 c12 s31



Printed on Recycled Paper 