



LIVESTOCK
IDENTIFICATION
SERVICES LTD.

INSPECTION OF CATTLE AND HORSES UNDER THE ANIMAL KEEPERS ACT

Role of LIS under the *Animal Keepers Act*

The Regulatory Services Division (RSD) of Alberta Agriculture is responsible for the administration of the *Animal Keepers Act*. Any questions producers may have with respect to the requirements of the Act or how to sell animals under the Act are to be directed to RSD.

LIS becomes involved with the *Animal Keepers Act* when animal keepers sell cattle and horses at designated inspection sites. A copy of the *Animal Keepers Act* is attached. Section 7 and 8 of this Act apply to LIS and read as follows:

Notice if owner known

7(1) If the owner of an animal or gear is known, the animal keeper must give at least 14 days' notice of the proposed sale of the animal or gear

- (a) to the owner by
 - (i) personal service,
 - (ii) registered mail sent to the address provided by the owner or the person who brought the animal or gear to the animal keeper, or
 - (iii) fax to the fax number provided by the owner or the person who brought the animal or gear to the animal keeper,

and

- (b) if the animal is cattle or a horse, to the Minister.

(2) If a delegated authority is established under the *Livestock Identification and Commerce Act*, the notice of sale under subsection (1)(b) must be provided to the delegated authority instead of the Minister.

Notice if owner not known

8(1) If the owner of an animal or gear is not known, the animal keeper must, at least 14 days before the proposed sale of the animal or gear,

- (a) publish a notice of the sale in a newspaper having general circulation in the place where the animal keeper's place of business is located, and
- (b) if the animal is cattle or a horse, provide notice of the sale to the Minister.

(2) If a delegated authority is established under the *Livestock Identification and Commerce Act*, the notice of sale under subsection (1)(b) must be provided to the delegated authority instead of the Minister.

Sections 7(2) and 8(2) require the animal keeper to provide a copy of the Notice of Sale to LIS. LIS receives some Notices of Sale directly but the majority of them are provided to RSD. RSD forwards copies of the Notices of Sale to the LIS Head Office.

The purpose of this memo is to clarify the responsibility of LIS Livestock Inspectors under the *Animal Keepers Act*.

Notice of Sale under the *Animal Keepers Act*

LIS is required to receive a copy of the Notice of Sale if cattle or horses are being sold by an animal keeper under the *Animal Keepers Act*. LIS receives a copy of the Notice of Sale because these animals are required to be inspected under the *Livestock Identification and Commerce Act* on entry into a livestock market or a country sale. Any livestock sold under the *Animal Keepers Act* may be sold by public auction or in any other commercially reasonable manner on providing the required notice. In most cases, the place of sale will be a designated inspection site.

The Notice of Sale required to be provided to LIS by the animal keeper must contain the following information:

- the method of the proposed sale
- the date and time of the sale
- the address and name of the place where the animal will be sold
- the name of the owner or the person who brought the animal to the animal keeper
- the amount for which the lien is claims
- a description of the animal
- the name of and contact information for the animal keeper.

If a copy of the Notice of Sale is provided to the Regulatory Services Division (RSD) of Alberta Agriculture, RSD will provide a copy of the Notice of Sale to the LIS Head Office. The LIS Head Office will forward a copy of the Notice of Sale to the appropriate livestock inspection office where the animals are intended to be sold.

Livestock Manifests for livestock transported for sale under the *Animal Keepers Act*

Cattle and horses being sold under the *Animal Keepers Act* and transported to a designated inspection site are required to be accompanied with a Livestock Manifest. The Livestock Manifest for the transportation of horses or cattle for sale under the *Animal Keepers Act* should be completed as follows:

Part A – Purpose of manifest

The animal keeper can check off “Transport for sale by owner” since this Part cannot be left blank.

Part B – Transportation and Sale Details

- The name of the owner of the animal being sold will be entered in the “Owner or Dealer Name” row. If the owner is unknown, the animal keeper is to enter “Owner unknown – authorized by RSD – 1-866-252-6403”.
- The owner’s address will be entered in the “Owner or Dealer Address” row. If the owner is unknown this row will be left blank.
- The words “Animal Keepers Act” will be entered in the “On Account of” row.
- The animal keeper’s name will be entered into the “Pay to (if other than Owner)” row.

- The “Transport From Address” will be the place where the animal keeper kept the animal. The animal keeper must enter the Premise ID number of the premise where the animal was kept.
- The “Transport to Name” and “Transport to Address” will be the name and address where the animal is being sold as listed on the Notice of Sale.

Part B – Description of the Livestock

This Part must be fully completed by the animal keeper.

Part C – Certification

The animal keeper can sign Part C of the Livestock Manifest as the agent of the owner of the animal.

Part D - Inspector

This part will be completed in the usual manner by the Livestock Inspector after the animal is inspected on arrival at the inspection site.

Part E – Transporter

This part will be completed in the usual manner by the transporter.

Part F – Livestock Security Interest Declaration

This Part will be left blank unless the animal keeper is aware of the name of the holder of any livestock security interest in the livestock. If he does, Part F must be completed by the animal keeper.

Part G – Destination

This Part will be completed in the usual fashion by the person receiving the animal.

Sample copies of completed Livestock Manifests are on page 5 (owner known) and page 6 (owner unknown).

Inspection of cattle and horses being sold under the *Animal Keepers Act*

A copy of the Notice of Sale under the *Animal Keepers Act* must be provided to the Livestock Inspector by the animal keeper or the operator of the inspection site with the Livestock Manifest prior to the livestock being inspected.

The Livestock Inspector will inspect the animal being sold under the *Animal Keepers Act* in the same manner in which all livestock is inspected under LICA. The authority for selling the livestock will be the Notice of Sale previously provided by the animal keeper to RSD or LIS. The Livestock Inspector is required to compare the animal being sold with the description of the animal on the Notice of Sale.

The Livestock Inspector can either hold the livestock or hold the sale proceeds in the following circumstances:

- the animal is not being sold at the location shown on the Notice of Sale,

- the Livestock Inspector is not satisfied that the animal being sold is the animal described on the Notice of Sale,
- the person shown on the Livestock Manifest and on the Notice of Sale is not the owner of the livestock based on the inspection carried out by the Livestock Inspector, and
- the Notice of Sale does not adequately describe the animal so that the person either receiving or seeing the Notice would identify the animal being sold with the animal described on the Notice.

It is not the responsibility of the Livestock Inspector to make any inquiries of the owner of the livestock or the animal keeper as to whether or not the animal keeper complied with the provisions of the *Animals Keepers Act* in order to sell the animal. It is also not the responsibility of the Livestock Inspector to make any inquires as to whether the method and place of sale is appropriate for the type of cattle or horse being sold. These inquires are the responsibility of RSD investigator.

Distribution of the sale proceeds

Under the *Animal Keepers Act*, the sale proceeds from the sale of the animal are paid in the following order of priority:

- to the animal keeper for expenses incurred in detaining, transporting, advertising and selling the animal
- in satisfaction of the lien of the animal keeper

If a balance remains after the above expenses have been paid, the balance of the sale proceeds are paid out as follows:

- If only one person with an interest in the animal that was sold claims the balance of the sale proceeds within 7 days from the date of the sale, to that person, or
- To the Minister:
 - If more than one person with an interest in the animal that was sold claims the balance of the proceeds within 7 days from the date of the sale, or
 - If not person with an interest in the animal that was sold claims the balance of the sale proceeds within 7 days of the date of the sale.

LIS is not involved in the payment of the sale proceeds to either the animal keeper, the owner of the livestock, any livestock security interest holder or to the Minister.

Contact information for RSD

Agriculture and Rural Development
204 Provincial Building
4920 - 51 Street
Red Deer AB, T4N 6K8

Phone: (403) 755-1474
Toll Free: (866) 252-6403

SAMPLE LIVESTOCK MANIFEST WHERE OWNER IS KNOWN

**LIVESTOCK IDENTIFICATION SERVICES LTD.
ALBERTA LIVESTOCK MANIFEST**

Part A - Purpose of Manifest						
<input type="checkbox"/> Transport Only	<input type="checkbox"/> Transport for Sale by	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Dealer on Behalf of Owner			
Check if Livestock Security Interest Declaration is by Separate Document						<input type="checkbox"/>
Part B - Transportation and Sale Details						
Pen or Lot Number				Date <small>YYYY / MM / DD</small>		
				2009-03-03		
Owner or Dealer Name <small>(Print Clearly & Press Hard)</small>						Phone #
OWNER OF THE ANIMAL						403-232-2323
Owner or Dealer Address						
ADDRESS OF THE OWNER OF THE ANIMAL						
On Account Of						
ANIMAL KEEPERS ACT						
Pay To (If Other Than Owner)				Address		
NAME OF ANIMAL KEEPER				ADDRESS OF ANIMAL KEEPER		
Transport From Address					Premises ID	
ADDRESS WHERE ANIMAL WAS KEPT						
Transport To Name						
NAME OF LOCATION OF SALE FROM NOTICE OF SALE						
Transport To Address						
ADDRESS OF LOCATION OF SALE FROM NOTICE OF SALE						
Description of Livestock						
Number	Colour	Kind	Brand(s) / Identifier(s)	Loc.	AV	Other Information
2	GREY	M	T -	RT	Y/N	
					Y/N	
					Y/N	
					Y/N	
					Y/N	
					Y/N	
					Y/N	
					Y/N	
Total	Part C - Parts A and B Certification					
2	I CERTIFY THAT PARTS "A" AND "B" ARE TRUE					
	<input checked="" type="checkbox"/> SIGNATURE OF ANIMAL KEEPER					
Part D - Inspector						
Adj Total	Inspector Signature		Inspector #	Client #		
Inspection Site #		Assur. Fund # Eligible	Check-off # Eligible	Livestock Permit #		
Part E - Transporter						
Transporter's Name (Print)				343-90393		
NAME OF TRANSPORTER				Trucking License #		
Transporter's Signature		Phone #	Trucking Charges			
		403-393-9393	\$23.00			
Part F - Livestock Security Interest Declaration (If Sale by Owner)						
Name and Address of Holder of Livestock Security Interest In the Livestock or in the Dam of the Livestock or if None Indicate "NONE"						
I CERTIFY THAT THIS DECLARATION IS TRUE						Date
<input checked="" type="checkbox"/> Signature of Owner						YYYY / MM / DD
Part G - Destination						
Date and Time Received			Count	Placed in Pen #		
YYYY / MM / DD Time						
Received and Counted By: (Print Name) / Signature					Premises ID	

HEAD OFFICE COPY

SAMPLE LIVESTOCK MANIFEST WHERE OWNER IS UNKNOWN

**LIVESTOCK IDENTIFICATION SERVICES LTD.
ALBERTA LIVESTOCK MANIFEST**

Part A - Purpose of Manifest						
<input type="checkbox"/> Transport Only	Transport for Sale by		<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Dealer on Behalf of Owner		
Check if Livestock Security Interest Declaration is by Separate Document						<input type="checkbox"/>
Part B - Transportation and Sale Details						
Pen or Lot Number			Date <small>YYYY / MM / DD</small> 2009-03-03			
Owner or Dealer Name <small>(Print Clearly & Press Hard)</small> UNKNOWN OWNER - AUTHORIZED BY RSD			Phone # 1-866-252-6403			
Owner or Dealer Address						
On Account Of ANIMAL KEEPERS ACT						
Pay To (If Other Than Owner) NAME OF ANIMAL KEEPER			Address ADDRESS OF ANIMAL KEEPER			
Transport From Address ADDRESS WHERE ANIMAL WAS KEPT			Premises ID PREMISE ID			
Transport To Name NAME OF LOCATION OF SALE FROM NOTICE OF SALE						
Transport To Address ADDRESS OF LOCATION OF SALE FROM NOTICE OF SALE						
Description of Livestock						
Number	Colour	Kind	Brand(s) / Identifier(s)	Loc.	AV	Other Information
2	GREY	M	T -	RT	Y/N	
					Y/N	
					Y/N	
					Y/N	
					Y/N	
					Y/N	
					Y/N	
Total	Part C - Parts A and B Certification					
2	I CERTIFY THAT PARTS "A" AND "B" ARE TRUE					
	X SIGNATURE OF ANIMAL KEEPER					
Part D - Inspector						
Adj Total	Inspector Signature		Inspector #	Client #		
Inspection Site #	Assur. Fund # Eligible	Check-off # Eligible		Livestock Permit #		
Part E - Transporter						
Transporter's Name (Print) NAME OF TRANSPORTER			343-90393 <small>Tractor or Conveyance License #</small>			
Transporter's Signature 403-393-9393			Trucking Charges \$23.00			
Part F - Livestock Security Interest Declaration (If Sale by Owner)						
Name and Address of Holder of Livestock Security Interest in the Livestock or in the Dam of the Livestock or if None Indicate "NONE"						
I CERTIFY THAT THIS DECLARATION IS TRUE						Date
X Signature of Owner					YYYY / MM / DD	
Part G - Destination						
Date and Time Received YYYY / MM / DD Time			Count	Placed in Pen #		
Received and Counted By: (Print Name) / Signature					Premises ID	

HEAD OFFICE COPY