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### ***The Animal Custom Care Regulations, 1983***

being Chapter A-20.2 Reg 3 (effective September 15, 1983) as amended by Saskatchewan Regulations 81/87.

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#### **CHAPTER A-20.2 REG 3**

##### *The Animal Products Act*

#### **Title**

- 1 These regulations may be cited as *The Animal Custom Care Regulations, 1983*.

#### **Interpretation**

- 2 In these regulations:

(a) "**Act**" means *The Animal Products Act*;

(b) "**animal**" means any animal of the equine species, any animal of the bovine species or any sheep, goat, swine or interspecies hybrid of such animals and includes a game animal as defined in *The Game Farming and Game Products Merchandising Regulations*, being chapter A-20.2 Reg 2 of *The Revised Regulations of Saskatchewan*;

(c) **"animal keeper"** means a person, including Her Majesty in right of Saskatchewan, who for a monetary consideration or its equivalent feeds, grazes, shelters, houses, confines, boards, exercises, trains, treats or cares for animals;

(d) **"lien"** means a lien pursuant to section 15.1 of the Act;

(e) **"owner"** includes any person acting for or on behalf of the owner of an animal.

23 Sep 83 cA-20.2 Reg 3 s2; 7 Aug 87 SR 81/87 s2.

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

**3(1)** Every animal keeper shall, while he has custody of an animal, supply the animal with any wholesome sustenance, shelter and care that may be agreed upon between the owner and the animal keeper.

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

23 Sep 83 cA-20.2 Reg 3 s3.

#### **Sale where animal not reclaimed**

**4(1)** An owner may reclaim a detained animal by paying his indebtedness in respect of the lien and the detention within 30 days from the day of the commencement of detention.

(2) Where an animal is not reclaimed pursuant to subsection (1), the animal keeper may offer the animal for sale to reclaim costs in respect of the lien and the detention.

23 Sep 83 cA-20.2 Reg 3 s4.

#### **Notice of sale**

**5(1)** Where an animal keeper intends to offer an animal for sale pursuant to subsection 4(2), he shall post a notice of the sale for at least seven consecutive days prior to the sale:

- (a) at the premises where the sale is to be held; and
- (b) in two other conspicuous places within the area where the animal is detained.

(2) The notice mentioned in subsection (1) shall state:

- (a) the name of the owner;
- (b) the amount for which a lien is claimed;
- (c) a description of the animal;
- (d) the name of the animal keeper; and
- (e) the location of the premises where the animal will be offered for sale.

(3) The animal keeper shall send the owner a copy of the notice of sale, at least seven days prior to the sale, by registered mail addressed to the owner's last known address.

23 Sep 83 cA-20.2 Reg 3 s5.

#### **Priority of payment of proceeds**

**6**(1) The proceeds derived from the sale mentioned in subsection 4(2) shall be applied in priority of payment:

(a) first to the expenses incurred in connection with the detention, advertising and sale of the detained animal; and

(b) second to the debt for which the detention was made.

(2) Any funds remaining after payments are made pursuant to subsection (1) shall be paid to the owner.

(3) Where the owner's whereabouts are unknown, the funds mentioned in subsection (2) shall be remitted by the animal keeper to the secretary of the municipality in which the animal was sold and, where the funds are not claimed by the owner within 12 months after the remittance, those funds become part of the general funds of the municipality and the owner has no right or claim to them.

23 Sep 83 cA-20.2 Reg 3 s6.

#### **Statement regarding disposition**

**7** The animal keeper shall provide:

(a) to the owner; or

(b) where the owner's whereabouts are unknown, to the secretary of the municipality where the animal was sold;

a statement showing the disposition of the proceeds from the sale of the animal.

23 Sep 83 cA-20.2 Reg 3 s7.

#### **Regulations to be available**

**8** Every animal keeper shall keep a copy of these regulations conspicuously posted or readily available at the premises owned or operated by him.

23 Sep 83 cA-20.2 Reg 3 s8.

#### **Repeal**

**9** *The Animal Custom Care Regulations, 1982*, being chapter A-20.2 Reg 1 of *The Revised Regulations of Saskatchewan* are repealed.

23 Sep 83 cA-20.2 Reg 3 s9.