



## **PLEASE NOTE**

This document, prepared by the [Legislative Counsel Office](#), is an office consolidation of this Act, current to May 20, 2004. It is intended for information and reference purposes only.

This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the [Queen's Printer](#) for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the [Table of Public Acts](#).

If you find any errors or omissions in this consolidation, please notify the Legislative Counsel Office at (902) 368-4291.

## CHAPTER L-16

### LIVESTOCK COMMUNITY AUCTION SALES ACT

- 1. In this Act** Definitions
- (a) repealed by 1992, c.2, s.1; board
- (b) “community auction sale” means a sale or offering for sale of livestock by public auction held at an established place of business where livestock is assembled for the purpose; community auction sale
- (c) “inspector” means an inspector appointed for the purpose of this Act; inspector
- (d) “licence” means a licence under this Act; licence
- (e) “livestock” means cattle, horses, sheep or swine, or the young thereof; livestock
- (f) “Minister” means the Minister of Agriculture, Fisheries, Aquaculture and Forestry; Minister
- (g) “operator” means a person engaged in the business of operating livestock community auction sales; operator
- (h) “premises” means the land, buildings and structures at the place of business of an operator; premises
- (I) “regulations” means the regulations made under this Act. R.S.P.E.I. 1974, Cap. L-19, s.2; 1983, c.1, s.6; 1992, c.3, s.2; 1993, c.29, s.4; 1997,c.20,s.3; 2004,c.36,s.3. regulations
- 2. No person shall sponsor or conduct or engage in the business of operating a community auction sale without a licence issued pursuant to the regulations. R.S.P.E.I. 1974, Cap. L-19, s.3.** Licence
- 3. Every licence is subject to the conditions that the operator** Conditions
- (a) maintains the security required by the regulations;
- (b) is in possession of premises that have at least one building for the stabling of the livestock that is assembled for the purpose of sale; and
- (c) complies with this Act and the regulations and any other condition that is imposed by the regulations. R.S.P.E.I. 1974, Cap. L-19, s.4.
- 4. The Minister has the general supervision of this Act. R.S.P.E.I. 1974, Cap. L-19, s.5.** Minister

Establishment of  
power to make  
board  
regulations

**5.** Repealed by 1992, c.2, s.1.

**6.** (1) The Lieutenant Governor in Council, upon the recommendation of the Minister, may make regulations

- (a) repealed by 1992, c.3, s.2;
- (b) establishing classes of community auction sales and limiting the application of any regulation to any such class;
- (c) prescribing the terms and conditions on which a licence is to be issued, and authorizing the Minister to withhold a licence for such reasons as he in his discretion sees fit;
- (d) providing for the form, renewal, suspension and revocation of licences, and for the fees payable therefor;
- (e) prescribing the minimum requirements in respect of cleanliness, health and safety in or about any building, premises or other place where a community auction sale is carried on;
- (f) prescribing the methods, terms and conditions under which a community auction sale is to be carried on;
- (g) requiring persons that conduct a community auction sale to keep records, make returns and furnish information in such form and manner as the Minister prescribes;
- (h) requiring the bonding of operators and prescribing the amount and form of such bonds, the classes of security that are acceptable as collateral security, the period that bonds shall subsist, the condition upon which bonds may be forfeited, and respecting all matters subsequent to forfeiture;
- (i) appointing inspectors to carry out and enforce the regulations;
- and
- (j) providing generally for the better and more effectual carrying out of this Act and the regulations.

Publication of  
regulations

(2) All regulations shall be published in the Gazette, and shall come into force upon such publication or on such other date as is specified in the regulation. R.S.P.E.I. 1974, Cap. L-19, s.7; 1992, c.3, s.2.

Offences, penalties

**7.** (1) Every person who violates this Act or a regulation is guilty of an offence and liable on summary conviction to a penalty not exceeding \$100. 1994, c.58, s.6.

Penalties payable to  
Provincial  
Treasurer

(2) All penalties recovered pursuant to this Act shall be paid over to the Provincial Treasurer for the use of the province. R.S.P.E.I. 1974, Cap. L-19, s.8; 1983, c.1, s.6; 1986, c.5, s.2; 1993, c.29, s.4; 1994, c.58, s.6.