

UNEDITED

# *The Fur Act*

*being*

Chapter 324 of *The Revised Statutes of Saskatchewan, 1953*  
(effective February 1, 1954).

FOR HISTORICAL REFERENCE ONLY

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

53 Trapper's licence to be returned

- 54 Penalty for failure to return licence
- 55 Licence secured through misrepresentation
- 56 Revocation of licence or permit
- 57 Issue at discretion of minister

#### ROYALTIES

- 58 Royalties on skins and pelts
- 59 When royalty payable
- 60 Payment of royalty upon demand
- 61 Seizure of skins and pelts on non-payment of royalty
- 62 Information under oath respecting seizure
- 63 Notice of inquiry by justice
- 64 Order for sale of skins and pelts

#### ADMINISTRATION OF ACT

- 65 Administration of Act
- 66 Regulations

#### POWERS OF ENTRY, ARREST AND SEIZURE

- 67 General powers of field officers
- 68 Entry and arrest without warrant
- 69 Search without warrant
- 70 Seizure of animals, firearms, traps, etc., in respect of which an offence deemed committed and disposal thereof
- 71 Members of Representative Councils are deputy game guardians
- 72 Powers of deputy game guardians
- 73 Drivers of vehicles to stop on request and furnish information

#### OFFENCES, PENALTIES AND PROSECUTIONS

- 74 Resisting field officer in discharge of duties
- 75 Penalties for violations of section 22 or 23

- 76 Offences respecting beaver
- 77 Offences respecting muskrats
- 78 Obliterating brands, etc., on skin and pelts
- 79 Failure to have licence
- 80 Aiding and abetting
- 81 Second and subsequent offence
- 82 General penalty
- 83 No conviction to person acting in performance of duty to enforce Act
- 84 Trapper's licence automatically revoked on conviction
- 85 Certificate of examination *prima facie* evidence
- 86 Proof of issue of licence, permit, etc.
- 87 Evidence
- 88 Disposal of fines
- 89 Payment of fines to municipality in certain cases
- 90 Limitation of prosecutions

#### FUR MARKETING AGENCY

- 91 Power of department to receive and sell skins and pelts

#### MISCELLANEOUS

- 92 Animals accidentally killed or taken
- 93 Disposal of pelts taken by Indians in close season
- 94 Inspection of records, skins and pelts
- 95 Seizure of faulty records and skins and pelts
- 96 Records to be kept one year
- 97 Oaths and affidavits
- 98 Game Commissioner may issue licences and permits



## CHAPTER 324

### An Act for the Protection, Preservation and Production of Fur Animals

#### SHORT TITLE

##### Short title

- 1 This Act may be cited as *The Fur Act*.

R.S.S. 1953, c.324, s.1.

#### INTERPRETATION

##### Interpretation

- 2 In this Act:

##### “close season”

1. “**close season**” means a period during which the hunting or trapping of fur animals, or any of them, is prohibited;

##### “department”

2. “**department**” means the Department of Natural Resources;

##### “field officer” or “officer”

3. “**field officer**” or “**officer**” means any person employed in connection with the administration and management of the department;

##### “fur animal”

4. “**fur animal**” includes all animals wild by nature whose skins or pelts are commonly used for the manufacture of clothing or rugs, and are of marketable value, and also includes the parts of such animals;

##### “Game Commissioner”

5. “**Game Commissioner**” means the person from time to time holding the office of Game Commissioner under the provisions of *The Game Act*;

##### “hunt” or “hunting”

6. “**hunt**” or “**hunting**” includes capturing, chasing, pursuing, worrying, following after or on the trail of, searching for, trapping, attempting to trap, setting snares for, stalking or lying in wait for any fur animal, whether or not the animal is then or subsequently killed, wounded or captured;

##### “minister”

7. “**minister**” means the Minister of Natural Resources;

##### “open season”

8. “**open season**” means a period during which the hunting or trapping of fur animals, or any of them, is allowed;

##### “private fur farm”

9. “**private fur farm**” means a parcel of land in respect of which the owner or occupant has received a permit from the minister to engage in the breeding or propagating of fur animals for commercial purposes;

##### “resident”

10. “**resident**” means a person who is a British subject and who has resided in Saskatchewan for two years immediately prior to the date of his application for a licence or permit under this Act, or a company which has had a place of business in the province for six months immediately prior to the date of its application for a licence or permit under this Act;

**“unprime skin” or “unprime pelt”**

11. **“unprime skin” or “unprime pelt”** means a skin or pelt which has been taken other than during the open season and includes a skin or pelt which shows natural markings of a dark or bluish colour on the flesh side.

1950, c.77, s.2; R.S.S. 1953, c.324, s.2.

## PROPERTY IN FUR ANIMALS

**Property in fur animals vested in Her Majesty**

3 The property in all fur animals within the province which are wild by nature and while in a state of nature is hereby declared to be vested in Her Majesty in right of Saskatchewan, and no person shall acquire any right or property therein otherwise than in accordance with the provisions of this Act.

1950, c.77, s.3; R.S.S. 1953, c.324, s.3.

**Ownership of fur animals marked with registered mark**

4 Where a fur animal, which is wild by nature, has been kept upon a private fur farm licensed under this Act, and has been marked with a registered mark pursuant to the regulations, the property in and right of possession to such animal shall remain in the registered owner of the mark and his executors, administrators and assigns, notwithstanding that the animal may have escaped from the custody and control of its owner; and the fact that an animal is so marked shall be *prima facie* evidence that the registered owner of the mark is the owner and entitled to possession of the animal.

1950, c.77, s.4; R.S.S. 1953, c.324, s.4.

## REGISTERED TRAPLINE DISTRICTS AND FUR CONSERVATION BLOCKS

**Constitution**

5(1) The Lieutenant Governor in Council may constitute any area of Crown land a registered trapline district or a fur conservation block, and may alter any order made for that purpose and rescind any order made pursuant to this subsection.

(2) Every order made under subsection (1) shall be published in *The Saskatchewan Gazette* and shall take effect on and from a date to be named in the order.

1950, c.77, s.5; R.S.S. 1953, c.324, s.5.

## HUNTING, TRAPPING, SHOOTING, ETC.

**Hunting, etc., by unauthorized persons**

6 Except as may be otherwise provided by the regulations, no person shall hunt, trap, take, shoot at, wound or kill any fur animal which is wild by nature and while in a state of nature unless he is expressly authorized to do so by this Act or by a subsisting licence or permit issued to him pursuant to this Act or the regulations.

1950, c.77, s.6; R.S.S. 1953, c.324, s.6.

**Hunting, etc., in close season**

7(1) No person shall hunt, trap, take, shoot at, wound or kill any fur animal at any time or at any place within the province other than at the times and in the places from time to time prescribed by lawful authority as the times within which and the places at which any fur animal or any specified variety of fur animal may be hunted, trapped, taken, shot at, wounded or killed.

(2) In subsection (1) of this section and in sections 6, 14 and 22 “**fur animal**” does not include a coyote.

(3) Notwithstanding anything contained in this Act or the regulations any person, whether the holder of a licence or not, may at any time upon premises owned or occupied by him kill any fur animal, except beaver or muskrat, if its destruction appears to him to be necessary for the protection or preservation of his property or property entrusted to his care.

(4) Any person killing an animal other than a weasel under the authority of subsection (3) shall immediately notify the minister of his action, submitting at the same time a declaration setting out in detail all the circumstances, and the skin or pelt of such animal shall be disposed of as ordered in writing by the minister.

(5) Any person killing a weasel under the authority of subsection (3) shall dispose of the skin or pelt of such animal through a licensed fur dealer or a fur marketing division of a Crown corporation, or any other Government agency designated by the minister, and every dealer, corporation or agency receiving any such skin or pelt shall in respect thereof pay to the department double the amount of the prescribed royalty.

(6) The onus of proving justification under subsection (3) shall be on the person killing the animal.

(7) Notwithstanding anything contained in this Act or the regulations the minister may, whenever he considers that muskrats or beavers are in danger of perishing on account of the freezing of the waters inhabited by them, or are damaging dams, dugouts, irrigation ditches, roads, highways or other property, authorize any person to trap or shoot such animals subject to such terms and conditions as the minister may prescribe.

1950, c.77, s.7; R.S.S. 1953, c.324, s.7.

**Hunting by Indians on unoccupied Crown lands, etc.**

8(1) Notwithstanding the provisions of this Act, and in so far only as is necessary in order to implement the provisions of the agreement between the Government of Canada and the Government of Saskatchewan ratified by chapter 87 of the statutes of 1930, it shall be lawful for the Indians within the province to hunt fur animals for food at all seasons of the year on all unoccupied Crown lands and on any other lands to which the said Indians may have a right of access.

(2) For the purpose of subsection (1) the lands designated by or pursuant to *The Provincial Lands Act* as school lands and the lands within game preserves, provincial forests, provincial parks, registered traplines, or fur conservation areas established pursuant to the regulations, shall be deemed not to be unoccupied Crown lands or lands to which Indians have a right of access.

1950, c.77, s.8; R.S.S. 1953, c.324, s.8.

**Hunting on enclosed lands**

**9(1)** No person shall hunt, trap, take, shoot at, wound or kill any fur animal or other animal which is wild by nature and in a state of nature if it is upon land enclosed by a fence of any kind or land under cultivation or adjacent to buildings, without having first obtained the consent of the owner or occupant. For the purpose of this subsection, the high water mark of any lake, river or other body of water bordering upon land shall be deemed to be a fence.

(2) Subsection (1) does not apply to any Crown land held under a grazing lease or grazing permit or under a hay lease or hay permit.

1950, c.77, s.9; R.S.S. 1953, c.324, s.9.

**Use of poison, etc.**

**10(1)** No person shall for the purpose of taking, capturing, killing or destroying any fur animal set out, use or employ any poison, opium or other narcotic unless he is the holder of a special permit to do so issued to him by the minister and then only during the period and in accordance with the terms and conditions prescribed in the permit.

(2) Nothing in subsection (1) shall interfere with any right or privilege conferred upon any farmer, rancher, poultryman or other person by any bylaw of a rural municipality passed under authority of *The Rural Municipality Act* or any former *Rural Municipality Act*.

1950, c.77, s.10; R.S.S. 1953, c.324, s.10.

**Use of snares**

**11** No person shall have in his possession, set out, use or employ any snare for the capture or destruction of any fur animal, other than rabbits, unless he is the holder of a permit to do so issued to him by the minister or unless he is authorized to do so by or pursuant to the regulations.

1950, c.77, s.11; R.S.S. 1953, c.324, s.11.

**Rifles in fur conservation areas**

**12(1)** No person shall carry a .22 of an inch calibre rifle in a fur conservation area established pursuant to the regulations, except during a period in which it is lawful to hunt game birds in the place where such rifle is carried, unless he is the holder of a permit issued by the minister authorizing him to do so.

(2) Subsection (1) does not apply to a person carrying a rifle in a fur conservation area in which he resides or in which he is licensed to trap fur animals.

1950, c.77, s.12; R.S.S. 1953, c.324, s.12.

**Beaver and muskrat houses**

**13(1)** Subject to subsection (2), no person shall destroy, partially destroy, open, leave open or place any trap in the house of a beaver or muskrat unless authorized to do so by the regulations governing fur farming, and in accordance therewith.

(2) During an open season for muskrats the holder of a subsisting licence to trap muskrats may open a muskrat house for the purpose of setting traps therein during such open season but he shall forthwith after setting any trap, and again forthwith after removing any trap, properly and adequately close the house.

1950, c.77, s.13; R.S.S. 1953, c.324, s.13.



**Destruction of dens**

**14** No person shall molest or destroy the den or usual place of habitation of any fur animal other than a timber wolf, coyote, badger, bear or wolverine.

1950, c.77, s.14; R.S.S. 1953, c.324, s.14.

**Beaver dams**

**15** No person shall interfere with or destroy a beaver dam unless he is the holder of a permit to do so issued to him by the minister.

1950, c.77, s.15; R.S.S. 1953, c.324, s.15.

**Destruction of beaver dams causing damage**

**16** Notwithstanding anything contained in this Act, where a beaver dam causes or is likely to cause damage to or the flooding of land adjacent to the water in which the dam is situated the owner or occupant of the land may remove or destroy the dam.

1952, c.87, s.1; R.S.S. 1953, c.324, s.16.

**Hunting or carrying firearms in game preserve**

**17(1)** No person shall hunt, shoot, trap, carry or have in his possession any firearms within a game preserve, except as provided by *The Game Act* or the regulations under that Act or this Act.

(2) No person shall hunt, trap, take, shoot at, wound or kill any fur animal in or on a game preserve without first obtaining a special permit to do so, and no person shall, while on a game preserve, have in his possession any contrivance ordinarily used for trapping wild animals unless he holds a permit issued by the minister authorizing him to do so.

1950, c.77, s.16; R.S.S. 1953, c.324, s.17.

**Injury to property**

**18** No person shall injure, damage or, without permission, make use of any property owned or maintained by the Government of Saskatchewan for the use of field officers, nor shall any person injure, deface or remove a notice or signboard placed or maintained pursuant to this Act.

1950, c.77, s.17; R.S.S. 1953, c.324, s.18.

**Prohibition respecting possession of beavers and muskrats**

**19(1)** No person other than a person authorized by a licence or permit issued under this Act or the regulations to trap or shoot beavers or muskrats, or a Crown corporation or other Government agency designated by the minister, shall have in his possession any beaver or muskrat or the skin or pelt of any beaver or muskrat or any part of any such skin or pelt.

(2) No person authorized by a licence or permit issued under this Act or the regulations to trap or shoot beavers shall have in his possession the skin or pelt of a beaver unless there is attached thereto an official seal issued by the department.

1950, c.77, s.18; R.S.S. 1953, c.324, s.19.

**Prohibition respecting number of beavers and muskrats in possession**

**20** No person who is authorized by a licence or permit issued under this Act or the regulations to trap or shoot beavers or muskrats shall have in his possession more beavers or muskrats or skins or pelts of beavers or muskrats than the number specified in the licence or permit.

1950, c.77, s.19; R.S.S. 1953, c.324, s.20.

**PURCHASE, SALE, ETC. OF ANIMALS AND FUR****Purchase or sale of fur animals**

**21** No person shall buy, sell, deal or traffic in fur animals unless expressly permitted to do so by this Act or the regulations.

1950, c.77, s.20; R.S.S. 1953, c.324, s.21.

**Permit for possession of or trading in certain animals or skins and pelts**

**22** No person shall buy, sell, traffic in or have in his possession:

- (a) any fur animal the skin or pelt of which is unprime;
- (b) the unprime skin or pelt of any fur animal; or
- (c) any fur animal or the skin or pelt of any fur animal which has been taken without lawful authority or which has been marketed or disposed of otherwise than in accordance with this Act and the regulations;

unless he is the holder of a permit to do so issued to him by the minister.

1950, c.77, s.21; R.S.S. 1953, c.324, s.22.

**Permit for possession of or trading in skins and pelts of snared animals**

**23** No person shall buy, sell, traffic in or have in his possession the skin or pelt of any animal whatever, except rabbit, which has been snared unless he is the holder of a permit from the minister authorizing him to do so, or unless the person who snared the animal was then the holder of a permit under section 11 or then had authority under the regulations to snare such animal.

1950, c.77, s.22; R.S.S. 1953, c.324, s.23.

**Purchases only from licensees**

**24** No person, either by himself, his clerk, servant or agent shall purchase or otherwise acquire from any trapper, fur dealer or other person the skin or pelt of a fur animal other than an animal that may be taken without a licence or permit, unless:

- (a) such trapper, fur dealer or other person holds a subsisting licence or permit issued to him by the minister;
- (b) the person acquiring the skins or pelts ascertains and records, at the time of such acquisition, the name and address of the licensee or permittee and the number of his licence or permit.

1950, c.77, s.23; R.S.S. 1953, c.324, s.24.

**Unprime pelts or skins to be shipped to department**

**25** A person who receives a shipment containing or otherwise comes into possession of an unprime skin or pelt of a fur animal protected under the provisions of this Act shall immediately notify the department, giving full particulars respecting the skin or pelt and the name of the person from whom it was received, and shall forward the skin or pelt to the department; and all such skins and pelts received by the department shall be disposed of in such manner as the minister may direct.

1950, c.77, s.24; R.S.S. 1953, c.324, s.25.

**Resident's permit to purchase raw furs**

**26(1)** A person desiring to purchase raw furs for the purpose of having them made into an article of wearing apparel either for himself or any member of his family, shall first make application to the minister for a permit to purchase such furs.

(2) The application shall state the kind and number of furs desired for the purpose and shall be accompanied by a statutory declaration that the furs shall be used solely for the purpose stated.

1950, c.77, s.25; R.S.S. 1953, c.324, s.26.

**EXPORTATION****Permit necessary for shipping**

**27** No person shall ship or transport out of the province or have in his possession for that purpose a fur animal or the skin or pelt of a fur animal upon which a royalty is payable, whether such royalty has been paid or not, without first obtaining a special permit from the minister authorizing such shipment or transportation, in respect of each lot of skins or pelts to be shipped or transported, and no person shall ship a fur animal or the skin or pelt of a fur animal out of the province other than by a common carrier unless authorized in writing by the minister to do so.

1950, c.77, s.26; R.S.S. 1953, c.324, s.27.

**Shipment to be accompanied by permit and declaration tags**

**28(1)** No agent of an express company, a transportation company or other common carrier, including the owner or operator of an aeroplane, motor truck or motor bus, shall accept for shipment to a point outside the province, a fur animal or the skin or pelt of a fur animal unless accompanied by a permit as provided in section 27.

(2) Such shipment shall also be accompanied by official declaration tags supplied by the department, completed in detail by the shipper.

1950, c.77, s.27; R.S.S. 1953, c.324, s.28.

**Permit to be returned to department**

**29** Upon acceptance of a shipment of skins or pelts to a point outside the province, the carrier or his agent shall endorse on the permit referred to in section 27 the date of the shipment and the number of the waybill and shall immediately forward the permit to the department; provided that in the case of skins or pelts of animals raised on a private fur farm the permit shall be returned to the permittee.

1950, c.77, s.28; R.S.S. 1953, c.324, s.29.

**Penalty for exporting skins or pelts on which royalty unpaid**

**30** A person who takes, ships or removes or attempts to take, ship or remove to a point outside Saskatchewan skins or pelts on which royalties are payable, but on which the royalty has not been paid, is guilty of an offence and liable on summary conviction to a fine of not less than \$10 nor more than \$500 and in default of payment to imprisonment for a term not exceeding six months.

1950, c.77, s.29; R.S.S. 1953, c.324, s.30.

**STORAGE****Licence to store pelts and duties of licensee**

**31(1)** No person shall engage in the business of storing skins or pelts of fur animals without having first procured from the minister a licence to do so.

(2) Every person engaged in the business of storing the skins or pelts of fur animals shall upon forms supplied by the minister, keep a record of all skins and pelts stored by him, showing:

- (a) the date of the receipt by him of such skins or pelts;
- (b) the number and kinds of such skins or pelts;
- (c) the name of the owner of the skins or pelts; and
- (d) the number of the hunters', trappers' or dealers' licences or permits under which the skins or pelts were secured;

and such record duly attested shall be forwarded to the minister not later than the first day of October in each year.

1950, c.77, s.30; R.S.S. 1953, c.324, s.31.

**FUR DEALERS****Licence**

**32** No person, either by himself, his clerk, servant or agent, shall engage in or carry on or be concerned in trading, buying or selling or soliciting trade in the skins or pelts of fur animals or be in possession of a fur animal or the skin or pelt thereof except under the authority of a subsisting licence or permit issued by the minister.

1950, c.77, s.31; R.S.S. 1953, c.324, s.32.

**Bond**

**33** The minister may require any fur dealer to furnish a bond or such other security as the minister deems advisable for the due payment of royalties payable by such person pursuant to this Act and for the due compliance by him with any regulations governing the buying, selling, dealing in or disposition of skins and pelts of fur animals.

1950, c.77, s.32; R.S.S. 1953, c.324, s.33.

**Records to be kept by dealers**

**34** Every licensed fur dealer shall:

(a) keep, in a book or books, in the form prescribed by the minister, true and accurate records of all skins and pelts purchased and sold by him, showing the licence number, the dates of purchase and sale, the price paid for each skin or pelt, the number of the fur conservation area if the skins or pelts were taken in a fur conservation area established pursuant to the regulations, the name and address of the vendor or purchaser, and containing a sufficient description of the skins and pelts bought and sold; and every transaction shall be recorded immediately after completion thereof;

(b) make such returns as are required by the regulations.

1950, c.77, s.33; R.S.S. 1953, c.324, s.34.

**Licensee not to hold trapper's licence**

**35** No person who holds a fur dealer's licence shall hold a trapper's licence and if he does so the licence shall be void and of no effect.

1950, c.77, s.34; R.S.S. 1953, c.324, s.35.

**Permit required to have furs in close season**

**36(1)** No fur dealer shall have in his possession during the close season the raw or undressed skin or pelt of any fur animal taken in Saskatchewan, except under the authority of a holding permit issued to him by the minister, the application for which has been made within ten days after the close of the open season; and no fur dealer shall, during the close season, have in his possession any skin or pelt of a fur animal taken outside the province, except under the authority of a holding permit issued to him by the minister, the application for which has been made within forty-eight hours after the receipt by him of such skin or pelt.

(2) No holding permit shall be issued unless the royalties payable in respect of the skins or pelts regarding which the application for the permit is made have been paid.

1950, c.77, s.35; R.S.S. 1953, c.324, s.36.

**PRIVATE FUR FARMS****Permit for possession of fur animal**

**37** No person other than a licensed fur farmer shall have in his possession at any time any live fur animal unless such person is the holder of a special permit issued to him by the minister and authorizing him to have such animal in his possession.

1950, c.77, s.36; R.S.S. 1953, c.324, s.37.

**Fur farm licence and duties of licensee**

**38(1)** Every person desiring to engage in breeding fur animals shall make application in writing to the minister, in the form prescribed by him, for a licence to do so.

(2) The minister may, in his discretion, upon receipt of the prescribed fee, issue a licence authorizing the holder thereof, upon a specified area of land, occupied by him either as owner, lessee or tenant, to breed or keep any species of fur animal for propagating or commercial purposes, and such area of land shall be known as a private fur farm.

(3) Every person holding such a licence shall annually on or before the fifteenth day of February make application for renewal thereof to the minister, and shall forward with the application a report giving such details of the year's operations as may be required.

(4) Every licensed fur farmer shall keep such records as may from time to time be prescribed by the regulations.

(5) The provisions of *The Animals Protection Act* apply, *mutatis mutandis*, to fur animals kept for breeding purposes upon any private fur farm.

1950, c.77, s.37; R.S.S. 1953, c.324, s.38.

**Discharge of firearm near fur farm prohibited**

**39** During the period commencing on the first day of March and ending on the thirty-first day of May in any year no person, knowing that he is within one-half mile from a private fur farm, shall discharge a rifle of larger than .22 of an inch calibre or a shot gun.

1950, c.77, s.38; R.S.S. 1953, c.324, s.39.

## TANNERS

**Licence**

**40** No person shall engage in tanning, dressing, plucking, dyeing or treating or undertake to tan, dress, pluck, dye or treat any raw or undressed skin or pelt of a fur animal except under authority of a licence issued by the minister.

1950, c.77, s.39; R.S.S. 1953, c.324, s.40.

**Permit to accompany skins or pelts sent to tanner**

**41** No person shall send to or leave with a tanner to be dressed, plucked or otherwise treated the raw or undressed skin or pelt of a fur animal upon which a royalty is payable, unless the royalty has been paid and a permit, obtained from the minister, accompanies the skin or pelt.

1950, c.77, s.40; R.S.S. 1953, c.324, s.41.

**Acceptance of skins or pelts prohibited unless accompanied by permit**

**42** No tanner shall accept, for the purpose of dressing, plucking or otherwise treating, the raw or undressed skin or pelt of a fur animal upon which a royalty is payable unless the skin or pelt is accompanied by a permit obtained from the minister.

1950, c.77, s.41; R.S.S. 1953, c.324, s.42.

## FUR ANIMALS

c. 324

**Records**

**43** Every person engaged in tanning, dressing, plucking, dyeing or treating the raw or undressed skins or pelts of fur animals shall:

(a) keep, in a book or books, in the form prescribed by the minister, true and accurate records of all such skins or pelts received by him, showing the name, address and the number of and kind of licence of each person from whom skins or pelts are received, and the date of receipt of the skins or pelts, and giving a sufficient description of the skins or pelts and particulars of their disposal when disposed of;

(b) make such returns as are required by the regulations.

1950, c.77, s.42; R.S.S. 1953, c.324, s.43.

## TAXIDERMISTS

**Licence**

**44** No person shall do business as a taxidermist without having first procured from the minister a licence authorizing him to do so.

1950, c.77, s.43; R.S.S. 1953, c.324, s.44.

**Records**

**45** No taxidermist shall have in his possession a fur animal or any part thereof for the purpose of preserving, mounting, stuffing or sale, without having also a statement signed by the owner or person from whom it was procured to the effect that the animal or part thereof was legally secured, and every taxidermist shall keep a duplicate receipt book, in which shall be recorded all receipts of such animals or parts thereof, and submit a copy of the same to the minister every three months.

1950, c.77, s.44; R.S.S. 1953, c.324, s.45.

## LICENCES AND PERMITS

**Limitation of area covered by trapper's licence or permit**

**46** A licence or permit to trap fur animals shall only authorize the holder to trap in such portions of the province as may be specified in his licence or permit or prescribed by the regulations.

1950, c.77, s.45; R.S.S. 1953, c.324, s.46.

**Restriction of trappers' licences in certain area**

**47** Unless the minister otherwise orders in any particular case, no licence or permit to hunt or trap fur animals in that portion of the province lying east of the third meridian and north of the north boundary of township 55, and west of the third meridian and north of the north boundary of township 57, shall be issued to any person other than:

(a) a British subject who has resided in the said portion of the province for the period of five years, immediately preceding the date of his application for such licence or permit; or

(b) a British subject who has resided in the province for the period of five years immediately preceding the date of his application for such licence or permit and who has continuously carried on trapping operations in the said portion of the province for the period of five years immediately preceding the said date;

and a licence or permit issued contrary to this section shall be null and void.

1950, c.77, s.46; R.S.S. 1953, c.324, s.47.

**Person under sixteen years**

**48** No licence or permit shall be issued to a person under sixteen years of age without a written application from his parent or guardian.

1960, c.77, s.47; R.S.S. 1953, c.324, s.48.

**Compliance with *Companies Act***

**49** No licence or permit shall be issued to a company unless it has complied with the provisions of *The Companies Act* governing registration and is licensed to carry on business in Saskatchewan, as required by that Act.

1950, c.77, s.48; R.S.S. 1953, c.324, s.49.

**Licence or permit endorsed by holder**

**50** A licence or permit shall be valid only when signed by the person to whom it is issued in the space provided for the purpose.

1950, c.77, s.49; R.S.S. 1953, c.324, s.50.

**Licence or permit not transferrable**

**51** No licence or permit shall be transferable, and a person who buys, sells, exchanges or in any way becomes a party to the transfer of a licence or permit, or in any way uses or attempts to use a licence or permit issued to any other person is guilty of a violation of this Act.

1950, c.77, s.50; R.S.S. 1953, c.324, s.51.

**Production of licence or permit**

**52** The holder of a licence or permit when requested to do so by a field officer or member of the Royal Canadian Mounted Police shall immediately produce his licence or permit for examination.

1950, c.77, s.51; R.S.S. 1953, c.324, s.52.

**Trapper's licence to be returned**

**53** Every person who holds a trapper's licence shall, within thirty days after the close of the open season for taking the animals mentioned therein, return the licence to the minister by registered mail, accompanied by an affidavit showing the total number of skins or pelts taken by him and shall furnish such other particulars as the minister may require.

1950, c.77, s.52; R.S.S. 1953, c.324, s.53.



**Penalty for failure to return licence**

**54** A person who fails to comply with section 53 shall, in addition to being liable to the penalties provided in section 82, be disqualified from obtaining a similar licence in the following year.

1950, c.77, s.53; R.S.S. 1953, c.324, s.54.

**Licence secured through misrepresentation**

**55** A licence which is obtained by false representations or by false or misleading statements made to the issuer relating to the age, occupation, nationality or place of residence of the applicant or any other information furnished at the time of the issue of the licence, shall be void and of no effect.

1950, c.77, s.54; R.S.S. 1953, c.324, s.55.

**Revocation of licence or permit**

**56(1)** The minister may in his discretion revoke a licence or permit issued under this Act or the regulations.

(2) A licence or permit held by a person convicted of a violation of this Act or the regulations shall be deemed to be revoked upon conviction, without further action or notice, but the minister may authorize the reinstatement of a licence or permit so revoked by reason of a first conviction during a period of two years.

(3) Where a licence or permit is revoked pursuant to subsection (2) of this section or subsection (1) of section 49 of *The Game Act*, and is not reinstated pursuant thereto, no further licence or permit under this Act or the regulations shall be issued to the person convicted for a period of one year from the date of such revocation.

1950, c.77, s.55; R.S.S. 1953, c.324, s.56.

**Issue at discretion of minister**

**57** Except as herein otherwise provided, the issue of a licence or permit shall be in the discretion of the minister.

1950, c.77, s.56; R.S.S. 1953, c.324, s.57.

## ROYALTIES

**Royalties on skins and pelts**

**58(1)** Every licensed fur dealer shall pay such royalty in respect of each skin or pelt purchased by him as may be prescribed by the Lieutenant Governor in Council.

(2) The Lieutenant Governor in Council may:

- (a) prescribe the royalties to be paid by licensed dealers in respect of skins or pelts purchased by them and may fix different amounts for different kinds;
- (b) provide for the manner in which and the persons to whom the royalties shall be paid.

1950, c.77, s.57; R.S.S. 1953, c.324, s.58.

**When royalty payable**

**59** The royalty payable by a dealer in respect of any skin or pelt shall be payable immediately upon the acquisition thereof by him or as provided by the regulations.

1950, c.77, s.58; R.S.S. 1953, c.324, s.59.

**Payment of royalty upon demand**

**60** If a field officer or member of the Royal Canadian Mounted Police finds in the possession of any person a skin or pelt in respect of which a royalty has become payable but has not been paid, such royalty shall be paid by the person in possession of the skin or pelt forthwith upon demand by the field officer or member of the Royal Canadian Mounted Police.

1950, c.77, s.59; R.S.S. 1953, c.324, s.60.

**Seizure of skins and pelts on non-payment of royalty**

**61(1)** In case of default in payment the field officer or member of the Royal Canadian Mounted Police may forthwith seize any skin or pelt in respect of which the royalty demanded is not paid and take the same before a justice of the peace.

(2) The person found in possession of the skin or pelt shall submit to the field officer or member of the Royal Canadian Mounted Police on demand any evidence which he has by way of proof that the royalty has been paid, and in any prosecution the onus of proving that the royalty has been paid shall be upon the defendant.

1950, c.77, s.60; R.S.S. 1953, c.324, s.61.

**Information under oath respecting seizure**

**62** The justice of the peace to whom a skin or pelt is delivered pursuant to section 61 shall take an information under oath from the field officer or member of the Royal Canadian Mounted Police setting out the fact of the seizure, its date and place and the name of the person from whose possession the skin or pelt was taken.

1950, c.77, s.61; R.S.S. 1953, c.324, s.62.

**Notice of inquiry by justice**

**63(1)** The justice shall thereupon notify that person that he will at a certain time and place proceed to inquire whether or not the royalty in respect of the skin or pelt has been paid.

(2) The notice of inquiry shall be deemed to be duly served if left with any person over the age of seventeen years who is in the apparent charge of the premises upon which the seizure was made, or, if there is no such person upon the premises by posting the notice on any conspicuous part of the premises.

1950, c.77, s.62; R.S.S. 1953, c.324, s.63.

**Order for sale of skins and pelts**

**64(1)** At the time and place appointed the justice shall, upon the appearance before him of the person to whom the notice was addressed or, in his absence, upon being satisfied that the notice has been duly served, proceed to inquire whether or not the amount payable by way of royalty has been paid.

(2) If the justice is not satisfied that payment has been made he shall make an order for payment forthwith along with any sum payable as a penalty for non-payment, and costs.

(3) The order shall state that, in default of payment, the skin or pelt shall be sold, that the amount of the royalties, penalty for non-payment, if any, and costs, together with any penalty imposed for any other offence in respect of the skin or pelt, shall be paid out of the proceeds of the sale, and that the surplus, if any, shall be paid to the person in whose possession the skin or pelt was at the time of seizure, or to the owner thereof, as the justice may determine.

1950, c.77, s.63; R.S.S. 1953, c.324, s.64.

## ADMINISTRATION OF ACT

### Administration of Act

**65** The administration of this Act and the regulations shall be supervised by the Game Commissioner under the control of the minister.

1950, c.77, s.64; R.S.S. 1953, c.324, s.65.

### Regulations

**66(1)** The Lieutenant Governor in Council may make regulations, not inconsistent with this Act, necessary to carry out its provisions according to their obvious intent or to meet cases which may arise and for which no provision is made by this Act, and without limiting the generality of the foregoing the Lieutenant Governor in Council may make regulations governing:

- (a) the issue of licences and permits permitting the hunting, trapping, taking, shooting at, wounding or killing of any fur animal, and granting to the licensee or permittee the sole privilege of trapping upon and over a specified area;
- (b) the restriction of the operations under any licence or permit to any specified area or to any specified time or to any specified area and any specified time;
- (c) the restriction from time to time of trapping operations in specified areas to the residents thereof;
- (d) the periods during which and areas within which it shall be lawful to hunt or kill any kind or kinds of fur animal;
- (e) the prohibition of the hunting or killing of any kind or kinds of fur animal, either absolutely, or during a specified period or within a specified area, or during a specified period and within a specified area;
- (f) the licensing of tanners and taxidermists;
- (g) the licensing of persons engaged in the business of buying, selling or trading or trafficking in the skins or pelts of any fur animal, the conditions on which licences may be issued to persons desiring to engage in the said business and the operations of persons engaged therein;
- (h) the licensing and regulation of private fur farms;
- (i) the issue of permits authorizing the sale and exportation from the province of fur animals or the skins or pelts of fur animals;
- (j) the issue of permits to take fur animals for the purposes of public parks or zoological gardens or for propagation or scientific purposes, and authorizing the transportation thereof to places outside the province;

- (k) the issue of permits to trap or kill any specified fur animals with the object of preventing damage to property;
  - (l) the fees to be paid in respect of any licence or permit;
  - (m) the forms and issue of licences and permits, the appointment of persons to issue the same and their remuneration either by proportion of the fee or otherwise;
  - (n) the records to be kept and the returns to be made by the holder of any licence or permit;
  - (o) the disposal of fur animals and parts thereof forfeited pursuant to this Act;
  - (p) the disposal of firearms, snares, traps and other appliances and property forfeited pursuant to this Act;
  - (q) trapping in or on any game preserve, provincial forest or provincial park;
  - (r) the control and management of registered trapline districts including, without restricting the generality of the foregoing, the granting of exclusive trapping privileges over specified portions of such districts for periods of ten years but renewable from time to time for further periods of ten years provided that the terms and conditions to which such privileges are subject have been fulfilled, prohibiting trapping in or trespassing on such districts except by grantees of such privileges, limiting the number of licences to be issued in any district, limiting the number of pelts which may be taken under the authority of any licence, providing for the handling, marketing and sale of pelts taken by licence holders, prescribing the share of the proceeds of sale to be retained by the department and providing for the distribution of the balance to licence holders in such manner as may be considered advisable;
  - (s) the control and management of fur conservation blocks including, without restricting the generality of the foregoing, the granting of exclusive trapping privileges over the whole or a specified portion of any block for periods not exceeding twenty-one years, prescribing the measures to be taken by licence holders for the conservation and propagation of fur animals, prohibiting trapping in or trespassing on such blocks except by grantees of such privileges, limiting the number of pelts which may be taken in any year or in any season under the authority of any licence, providing for the handling, marketing and sale of pelts taken by licence holders, prescribing the share of the proceeds of sale to be retained by the department and providing for the distribution of the balance to licence holders in such manner as may be considered advisable;
  - (t) the conditions to which licences and permits shall be subject and the operations of licensees and permittees.
- (2) All regulations made under this Act shall have force and effect only after the same have been published in the *Gazette* or on and after a date to be named in the regulations.
- (3) Such regulations shall have the same force and effect as if enacted herein.

## POWERS OF ENTRY, ARREST AND SEIZURE

### General powers of field officers

**67** All field officers shall have the powers of constables to enforce the provisions of this Act and the regulations.

1950, c.77, s.66; R.S.S. 1953, c.324, s.67.

### Entry and arrest without warrant

**68** A field officer may enter upon or pass over lands, whether enclosed or not, for the purpose of discharging his duties, and while so engaged he shall be liable only for damage which he may wilfully cause in so doing, and a field officer or member of the Royal Canadian Mounted Police may without warrant arrest any person found committing an offence against this Act or the regulations.

1950, c.77, s.67; R.S.S. 1953, c.324, s.68.

### Search without warrant

**69(1)** Where a field officer or member of the Royal Canadian Mounted Police has reason to suspect that a fur animal has been taken in violation of this Act or the regulations, or that a skin or pelt, in respect of which a royalty payable pursuant to this Act is unpaid, or in connection with which an offence against this Act has been committed, is concealed in any dwelling house, room, store, shop, warehouse, outhouse, freight or express shed, railway car or coach, aeroplane, vehicle, boat, dugout, tent, shelter or other similar place, he may without obtaining a warrant search therein for such animal, skin or pelt.

(2) For the purpose of making such search he may if necessary force an entry to any such place, and he may open and examine therein any package, luggage or other container or receptacle which he suspects is being used in connection with an offence against this Act or the regulations.

1950, c.77, s.68; R.S.S. 1953, c.324, s.69.

### Seizure of animals, firearms, traps, etc., in respect of which an offence deemed committed and disposal thereof

**70(1)** A field officer or member of the Royal Canadian Mounted Police may seize any animal, skin or pelt in respect of which he believes that an offence has been committed against this Act or the regulations, giving a receipt therefor to the person in whose possession or custody the same is found, and may likewise seize any firearm, trap or other contrivance of any kind which he has reason to believe has been used contrary to the provisions of this Act.

(2) A person who makes a seizure under the authority of subsection (1) shall deliver the things seized to a justice of the peace and shall at the same time furnish the justice with an affidavit, or information under oath, specifying the name of the person found in possession or custody of the animal, skin, pelt, firearm, trap or contrivance and stating that he has reason to believe that an offence has been committed.

(3) When a prosecution is brought for an offence in respect of any of the things delivered to a justice pursuant to subsection (2), the justice shall notify the owner or person in whose possession or custody the animal, skin, pelt, firearm, trap or other contrivance is found, to appear before him at a specified time and establish his right to the possession thereof, or show that the firearm, trap or other contrivance has not been illegally used; and if he fails to do so without reasonable cause the justice shall declare the animal, skin, pelt, firearm, trap or contrivance to be forfeited to Her Majesty, represented by the minister.

(4) Upon the conviction of any person for an offence in respect of any animal, skin, pelt, firearm, trap or other contrivance seized under the authority of subsection (1), the justice shall by the order of conviction or by a separate order declare the same to be forfeited to Her Majesty, represented by the minister.

(5) If no prosecution is brought for an offence in respect of any of the things delivered to a justice pursuant to subsection (2), the justice shall either order the immediate return of these things to the person in whose custody or possession they were found or declare them to be forfeited to Her Majesty, represented by the minister.

(6) If skins or pelts in connection with which an offence against the provisions of this Act or the regulations has been committed are found to be intermixed with other skins or pelts, a field officer or member of the Royal Canadian Mounted Police may seize all the skins or pelts, and upon conviction of an offence in connection with any of them, all of them may be declared by the justice to be forfeited to Her Majesty, represented by the minister.

(7) A field officer or member of the Royal Canadian Mounted Police may seize any aeroplane, automobile, truck, wagon, horse, canoe, boat or other vehicle found at the time in the possession of any person deemed to have committed an offence against this Act or the regulations, and which the field officer or member of the Royal Canadian Mounted Police has reason to believe has been used in connection with the offence; and in case of a conviction for such offence the justice may by the order of conviction or a separate order declare the thing seized to be forfeited to Her Majesty, represented by the minister. If no prosecution is brought for such offence the thing seized shall be returned to the person from whose possession it was taken.

1950, c.77, s.69; R.S.S. 1953, c.324, s.70.

**Members of Representative Councils are deputy game guardians**

**71** Every person elected as a member of a Representative Council in accordance with the regulations shall while he is such member be a deputy game guardian under *The Game Act*.

1950, c.77, s.70; R.S.S. 1953, c.324, s.71.

**Powers of deputy game guardians**

**72** Every deputy game guardian under *The Game Act*:

- (a) shall for the purposes of section 52 of this Act be deemed to be a field officer;
- (b) shall have the powers of a field officer under section 69 of this Act to search any aeroplane, vehicle, boat, dugout, tent, shelter or other similar place;
- (c) may exercise all the powers and shall perform all the duties of a field officer under section 70 of this Act.

1950, c.77, s.71; R.S.S. 1953, c.324, s.72.

**Drivers of vehicles to stop on request and furnish information**

**73** Every person in charge of or operating a vehicle shall, when requested or signalled to do so by a field officer or member of the Royal Canadian Mounted Police, stop the vehicle and, up on request, furnish him with such information as he requires in the fulfilment of his duties.

1950, c.77, s.72; R.S.S. 1953, c.324, s.73.

## OFFENCES, PENALTIES AND PROSECUTIONS

**Resisting field officer in discharge of duties**

**74** A person who obstructs, or interferes with a field officer in the performance of his duties after the production to such person by the field officer of his badge is guilty of an offence and liable on summary conviction to a fine of not less than \$50 nor more than \$200, and in default of payment to imprisonment for a term not exceeding six months.

1950, c.77, s.73; R.S.S. 1953, c.324, s.74.

**Penalties for violations of section 22 or 23**

**75** A person who violates section 22 or 23 is, in addition to the forfeiture of the skins or pelts as provided by section 70, liable on summary conviction to a fine of not less than \$50 nor more than \$100 for each beaver and each beaver skin or pelt in respect of which he is convicted, and to a fine of not less than \$3 nor more than \$50 for each muskrat and each muskrat skin or pelt in respect of which he is convicted, and to a fine of not less than \$1 nor more than \$20 for each animal other than beaver or muskrat, and each skin or pelt of any animal other than beaver or muskrat, in respect of which he is convicted, and, in every case, in default of payment to imprisonment for a term not exceeding six months.

1950, c.77, s.74; R.S.S. 1953, c.324, s.75.

**Offences respecting beaver**

**76** A person who in violation of section 6 or 7 hunts, traps, takes, shoots at, wounds or kills a beaver, or who takes more beaver than he is authorized by the regulations to take, or who violates any of the provisions of this Act or the regulations relating specially to beaver, is guilty of an offence and liable on summary conviction to a fine of not less than \$50 nor more than \$100 for each animal and each skin or pelt in respect of which he is convicted, and in default of payment to imprisonment for a term not exceeding six months.

1950, c.77, s.75; R.S.S. 1953, c.324, s.76.

**Offences respecting muskrats**

**77** A person who in violation of section 6 or 7 hunts, traps, takes, shoots at, wounds or kills a muskrat, or who takes more muskrats than he is authorized to take, or who violates any of the provisions of this Act or the regulations relating specially to muskrats, is guilty of an offence and liable on summary conviction to a fine of not less than \$3 nor more than \$50 for each animal and each skin or pelt in respect of which he is convicted, and in default of payment to imprisonment for a term not exceeding six months.

1950, c.77, s.76; R.S.S. 1953, c.324, s.77.

**Obliterating brands, etc., on skin and pelts**

**78** A person who obliterates, alters, imitates or duplicates any stamp, brand, mark or signature which is placed on any skin or pelt pursuant to the regulations is guilty of an offence and liable on summary conviction to a fine of not less than \$10 nor more than \$20 for each skin or pelt in respect of which an offence is committed.

1950, c.77, s.77; R.S.S. 1953, c.324, s.78.



**Failure to have licence**

**79** Where a person is convicted of an offence against this Act or the regulations which would not have been an offence if such person had been the holder of a licence or permit issued pursuant to this Act, the justice shall, in addition to any penalty for such offence, impose a penalty equal in amount to the fee payable for such licence or permit and shall forward such amount when collected to the minister.

1950, c.77, s.78; R.S.S. 1953, c.324, s.79.

**Aiding and abetting**

**80** A person who aids in, abets, counsels or procures the commission of an offence against this Act or the regulations is guilty of an offence and liable on summary conviction to the penalties provided in section 82.

1950, c.77, s.79; R.S.S. 1953, c.324, s.80.

**Second and subsequent offence**

**81** A person who, having been convicted of a violation of this Act or the regulations, within two years again violates this Act or the regulations, is liable on summary conviction to a penalty double the minimum penalty provided for the offence and upon a third or subsequent conviction to a penalty equal to the maximum penalty provided for the offence.

1950, c.77, s.80; 1953, c.11 8, s.6; R.S.S. 1953, c.324, s.81.

**General penalty**

**82(1)** A person who violates any of the provisions of this Act or the regulations, for which violation no penalty is herein specifically provided, is guilty of an offence and liable on summary conviction to a fine of not less than \$10 nor more than \$200, and in default of payment to imprisonment for a term not exceeding six months.

(2) Subsection (1) does not apply to a violation of section 73 where the act or omission constituting such violation is also an offence punishable under the *Criminal Code*.

1950, c.77, s.81; R.S.S. 1953, c.324, s.82.

**No conviction to person acting in performance of duty to enforce Act**

**83** If it is made to appear to the justice of the peace before whom a complaint under this Act or the regulations is heard, that the person charged with a violation of any Act of the provisions of this Act or the regulations was acting as a field officer whose duty it was to enforce this Act or was acting under the instructions or authority of a field officer or a member of the Royal Canadian Mounted Police for the purpose of detecting a known or suspected offender against this Act and of obtaining evidence upon which he might be brought to justice, the defendant shall not be convicted.

1950, c.77, s.82; R.S.S. 1953, c.324, s.83.

**Trapper's licence automatically revoked on conviction**

**84** When a person who holds a trapper's licence or permit is convicted of a violation of section 10 then, in conviction addition to any fine imposed, the licence or permit shall be automatically revoked by the conviction and no trapper's licence or permit shall be issued to such person at any time thereafter.

1950, c.77, s.83; R.S.S. 1953, c.324, s.84.



**Certificate of examination *prima facie* evidence**

**85** In every prosecution under this Act or the regulations, the certificate of the person in charge of any laboratory maintained by the province or by the Royal Canadian Mounted Police, or of the assistant to such person or of a person acting in the place of such person, shall be accepted as *prima facie* evidence of the facts stated therein with respect to any fur animal or the skin or pelt of any fur animal which according to the certificate has been examined in such laboratory, and no proof of the authority of the person giving or issuing the certificate or of his appointment or signature shall be required.

1950, c.77, s.84; R.S.S. 1953, c.324, s.85.

**Proof of issue of licence, permit, etc.**

**86** The certificate of the minister that a licence, permit, certificate or notice has been issued or given to any person under the provisions of this Act or the regulations shall be received as *prima facie* evidence that such licence, permit, certificate or notice has been so issued or given, and no proof of the authority of the minister or of his appointment or signature shall be required.

1950, c.77, s.85; R.S.S. 1953, c.324, s.86.

**Evidence**

**87(1)** In a proceeding authorized by this Act and upon a prosecution for an offence against this Act, the fact that a fur animal or any part thereof is found in Saskatchewan shall be *prima facie* evidence that the animal was killed or taken within Saskatchewan.

(2) The possession during the close season of a dead fur animal protected by this Act shall be *prima facie* evidence that the animal was unlawfully killed, unless it is proved to the contrary.

1950, c.77, s.86; R.S.S. 1953, c.324, s.87.

**Disposal of fines**

**88(1)** Where the minister certifies that any person who is not a salaried officer or a member of the Royal Canadian Mounted Police has given information or otherwise aided in the investigation or proceedings resulting in the imposition of any fine under this Act, one-half of the fine or \$50 thereof, whichever is the lesser, shall be paid to such person.

(2) Subsection (1) does not apply with respect to any fine to which section 89 applies.

1950, c.77, s.87; R.S.S. 1953, c.324, s.88.

**Payment of fines to municipality in certain cases**

**89** In any city, town or village where any person has been convicted and fined for violation therein of any of the provisions of this Act or the regulations upon the information of a policeman or constable or other official employed and paid by the municipality and not a member of a force directly or indirectly employed and paid by the province, the fine imposed shall belong to the municipality and the convicting justice shall dispose of the fine accordingly.

1950, c.77, s.88; 1953, c.118, s.6; R.S.S. 1953, c.324, s.89.

**Limitation of prosecutions**

**90** No prosecution for a violation of any provision of this Act or the regulations shall be commenced after eighteen months from the date of the violation.

1950, c.77, s.89; R.S.S. 1953, c.324, s.90.

**FUR MARKETING AGENCY****Power of department to receive and sell skins and pelts**

**91(1)** Subject to the regulations, the minister may make arrangements with persons desiring to sell the skins or pelts of fur animals taken or raised by them in Saskatchewan or received by them in Saskatchewan in the course of their business, whereby such skins or pelts will be delivered to the department and sold by the department on their behalf.

(2) The Lieutenant Governor in Council may make regulations governing delivery to the department of skins or pelts, the recording of shipments of skins or pelts received by the department, the grading and lotting of skins or pelts so received, the times and places at which and the manner in which sales of skins or pelts shall be held and conducted, the commission to be retained by the department from the gross amount realized at any sale or from the amount for which any skin or pelt or any lot of skins or pelts is sold, and the manner in which the proceeds of any sale shall be paid to the persons entitled thereto.

1950, c.77, s.90; R.S.S. 1953, c.324, s.91.

**MISCELLANEOUS****Animals accidentally killed or taken**

**92** A person who accidentally kills or takes a fur animal protected under the provisions of this Act shall immediately notify the department in writing and, after skinning, stretching and otherwise properly caring for the skin or pelt, shall deliver the same to a field officer or ship it by parcel post or express to the department at Regina; and the skin or pelt may be disposed of in such manner as the minister deems fit.

1950, c.77, s.91; R.S.S. 1953, c.324, s.92.

**Disposal of pelts taken by Indians in close season**

**93** If any fur animal is taken by an Indian for food during the close season, the pelt shall be the property of the Crown and shall not be sold or otherwise disposed of by the Indian and shall be delivered by him to a field officer.

1950, c.77, s.92; R.S.S. 1953, c.324, s.93.

**Inspection of records, skins and pelts**

**94** Every licensed dealer, fur farmer, tanner, taxidermist and person engaged in storing skins or pelts of fur animals shall, upon demand being made by a field officer or member of the Royal Canadian Mounted Police at any reasonable time, forthwith produce for inspection the records which he is required to keep pursuant to this Act and all skins or pelts in his possession.

1950, c.77, s.93; R.S.S. 1953, c.324, s.94.

**Seizure of faulty records and skins and pelts**

**95(1)** If any record referred to in section 94 appears to be untrue, inaccurate, illegible or incomplete, the field officer or member of the Royal Canadian Mounted Police may seize and remove the same together with any skins or pelts in the possession of the licensee.

(2) A person who makes a seizure under subsection (1) shall deliver the things seized to a justice of the peace and the justice shall thereupon issue a summons, to be served upon the person from whose possession the records, skins or pelts were taken and to all persons alleged to have any interest therein, requiring such persons to attend before him at the time and place named in the summons, and if, after a hearing, he is satisfied that the records are untrue, inaccurate, illegible or incomplete, he shall declare them and the skins or pelts to be forfeited to Her Majesty, represented by the minister, or, if not so satisfied, he shall order the immediate return thereof to the person entitled thereto.

1950, c.77, s.94; R.S.S. 1953, c.324, s.95.

**Records to be kept one year**

**96** The records referred to in section 94 shall be kept intact by the licensee for a period of one year after expiry of the licence during the currency of which skins or pelts were acquired or disposed of and shall be available during that period for inspection under section 93, whether a new licence has been issued or not.

1950, c.77, s.95; R.S.S. 1953, c.324, s.96.

**Oaths and affidavits**

**97** An oath or affidavit required to be made for any of the purposes of this Act may be sworn before a field officer.

1950, c.77, s.96; R.S.S. 1953, c.324, s.97.

**Game Commissioner may issue licences and permits**

**98** Subject to the regulations, any licence or permit which is issuable by the minister under this Act may be issued by the Game Commissioner.

1950, c.77, s.97; R.S.S. 1953, c.324, s.98.

FOR HISTORICAL REFERENCE ONLY