

The Canada-Saskatchewan Pasture Recovery Initiative Regulations

being

[Chapter F-8.001 Reg 40](#) (effective June 25, 2010; expires and repealed December 31, 2013); as amended by Saskatchewan Regulations [95/2010](#).

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.

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CHAPTER F-8.001 REG 40
The Farm Financial Stability Act

Title

1 These regulations may be cited as *The Canada-Saskatchewan Pasture Recovery Initiative Regulations*.

Interpretation

2 In these regulations:

- (a) **“account”** means the Canada-Saskatchewan Pasture Recovery Initiative Account established pursuant to section 4;
- (b) **“Act”** means *The Farm Financial Stability Act*;
- (c) **“applicant”** means a livestock producer who applies for a support payment;
- (d) **“application”** means an application for a support payment made pursuant to section 7;
- (e) **“breeder association”** means:
 - (i) a bison breeder association within the meaning of *The Bison Breeder Associations Loan Guarantee Regulations*;
 - (ii) a cattle breeder association within the meaning of *The Cattle Breeder Associations Loan Guarantee Regulations, 1991*; or
 - (iii) a sheep breeder association within the meaning of *The Sheep Breeder Associations Loan Guarantee Regulations*;
- (f) **“designated region”** means any land located:
 - (i) in a rural municipality that is listed in Table 1 of the Appendix;
 - (ii) on that portion of reserve land that is within the boundaries of a rural municipality that is listed in Table 1 of the Appendix; or
 - (iii) in a township, county or area in the Province of Alberta that is listed in Table 2 of the Appendix;
- (g) **“eligible applicant”** means an eligible applicant as described in section 6;
- (h) **“eligible livestock”** means:
 - (i) females of any of the following species of livestock that are bred to produce offspring in 2010 and males of any of the following species of livestock that are of breeding age and used for breeding purposes:
 - (A) beef cattle;
 - (B) bison;
 - (C) domestic game farm animals, as defined in *The Domestic Game Farm Animal Regulations*;
 - (D) sheep;

- (E) goats;
- (F) alpacas;
- (G) llamas; and
- (ii) horses bred for meat or for pregnant mare urine production;
- (i) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (j) **“livestock producer”** means:
 - (i) an individual who:
 - (A) is 18 years of age or older;
 - (B) resides in Saskatchewan and can provide evidence satisfactory to the minister of the individual’s Saskatchewan residence; and
 - (C) is the owner of the eligible livestock that are the subject of an application;
 - (ii) a corporation and its subsidiaries, a co-operative, a partnership or a communal organization that:
 - (A) in the minister’s opinion, carries on business principally in Saskatchewan; and
 - (B) is the owner of the eligible livestock that are the subject of an application; or
 - (iii) an Indian band:
 - (A) whose reserve land is in Saskatchewan; and
 - (B) that is the owner of the eligible livestock that are the subject of an application;
- (k) **“owner”**, with respect to eligible livestock, means a person who is:
 - (i) the owner of eligible livestock;
 - (ii) the lessee of eligible livestock; or
 - (iii) a member of a breeder association, who has a breeder contract with the breeder association with respect to eligible livestock;
- (l) **“program”** means the Canada-Saskatchewan Pasture Recovery Initiative Program established pursuant to section 3;
- (m) **“reserve land”** means reserve land within the meaning of the *Indian Act* (Canada);
- (n) **“support payment”** means a support payment calculated pursuant to section 10.

CANADA-SASKATCHEWAN
PASTURE RECOVERY INITIATIVE **F-8.001 REG 40**

Program established

3(1) The Canada-Saskatchewan Pasture Recovery Initiative Program is established.

(2) The purpose of the program is to provide financial assistance to livestock producers within the designated region.

9 Jly 2010 cF-8.001 Reg 40 s3.

Account established

4(1) The Canada-Saskatchewan Pasture Recovery Initiative Account is established in the fund pursuant to clause 24(2)(a) of the Act.

(2) The Minister of Finance is authorized to deposit into the account:

(a) all contributions from the Government of Canada that are directed to the account for the purposes of the program pursuant to an agreement made pursuant to subsection 22(2) of the Act; and

(b) from moneys appropriated by the Legislature, all contributions of the Government of Saskatchewan to the program pursuant to an agreement made pursuant to subsection 22(2) of the Act.

(3) The account consists of:

(a) all contributions mentioned in clause (2)(a);

(b) all moneys appropriated by the Legislature:

(i) for the purposes of the program; or

(ii) for any other farm income stabilization purpose, if the Minister of Finance designates that those moneys are to be paid into the account;

(c) all earnings on investments of the account; and

(d) all other moneys received in the account for the purposes of the program.

(4) All support payments are to be paid from the account.

(5) Any surplus remaining in the account when the program is completed is to be returned to the Government of Canada and the Government of Saskatchewan in proportion to each government's contribution to the account.

(6) The fiscal year of the account is the period commencing on April 1 in one year and ending on March 31 of the following year.

9 Jly 2010 cF-8.001 Reg 40 s4.

Minister to administer account and program

5(1) The minister shall administer the account and the program.

(2) For the purpose of administering the account and the program, the minister may:

(a) exercise the powers given to the minister pursuant to the Act; and

(b) do any other thing that the minister considers necessary to administer the account or the program.

(3) Without limiting the generality of subsection (2), for the purpose of administering the account or the program, the minister may:

- (a) enter into any agreement that the minister considers advisable with any person, agency, organization, association, institution or body;
- (b) undertake research, conduct studies and provide information to agricultural producers in relation to the program;
- (c) use any moneys received in the account:
 - (i) to pay for the administration of the account and the program; and
 - (ii) to make support payments;
- (d) invest any moneys in the account that are not presently required for the purposes of the program in any investments that are authorized pursuant to *The Financial Administration Act, 1993* as investments for the general revenue fund; and
- (e) dispose of any investment made pursuant to clause (d), subject to the terms of the investment, in any manner, on any terms and in any amount that the minister considers advisable.

9 Jly 2010 cF-8.001 Reg 40 s5.

Eligible applicant

6(1) A person is eligible to apply for a support payment if:

- (a) the person is a livestock producer;
 - (b) the person is the owner of eligible livestock as of January 1, 2010;
 - (c) the person normally grazes the person's eligible livestock on land located in the designated region; and
 - (d) in the case of an individual, partnership or corporation, the individual, each partner of the partnership or the corporation filed or will file an income tax return respecting farm income from livestock operations in Saskatchewan for the year preceding the year for which an application is made, or for the year for which an application is made.
- (2) Notwithstanding subsection (1):
- (a) no agency of the Government of Saskatchewan, Government of Canada or Government of Alberta is eligible to apply for a support payment; and
 - (b) no person who owns or operates a research station that is funded in whole or in part by a government mentioned in clause (a) is eligible to apply for a support payment.

9 Jly 2010 cF-8.001 Reg 40 s6.

Application for payment

- 7(1) An eligible applicant who wishes to obtain a support payment must apply to the minister on an application form supplied by the minister.
- (2) On an application, the applicant must:
- (a) specify the type and number of eligible livestock with respect to which the application is made;
 - (b) confirm that the applicant was the owner of the eligible livestock as of January 1, 2010;
 - (c) specify the number of the applicant's eligible livestock that are normally located on land in the designated region during the grazing season;
 - (d) specify the number of acres of land that is pasture land owned or leased by the applicant in the designated region;
 - (e) indicate whether the applicant owns or leases land that is pasture land outside the designated region;
 - (f) provide any details that the minister may require to determine that the livestock with respect to which the application is made are eligible livestock;
 - (g) declare that no other application for a support payment has been made or is to be made by the applicant respecting the same eligible livestock; and
 - (h) provide the minister with any additional information that the minister may reasonably require to determine the applicant's eligibility for a support payment or the amount of the applicant's support payment.
- (3) If an applicant is a corporation or a subsidiary of a corporation or is a co-operative, a partnership, a communal organization or an Indian band, the minister may, for the purposes of verifying residency and compliance with these regulations, require the applicant to provide the names of the shareholders, partners, members or other individuals, as the case may be, who are associated with the applicant.

9 Jly 2010 cF-8.001 Reg 40 s7.

Application deadline

- 8(1) In this section, "**application deadline date**" means:
- (a) September 1, 2010; or
 - (b) a date not later than November 1, 2010 that is specified by the minister if, in the opinion of the minister, the later date is necessary to fulfil the purposes of the program.
- (2) If the minister specifies a later date pursuant to clause (1)(b), the minister shall cause that date to be made public in any manner that the minister considers appropriate, including posting the date on the website of the ministry over which the minister presides.

(3) Subject to subsection (4), an application for a support payment pursuant to these regulations must be received by the minister or, in the case of an application that is mailed, be postmarked, on or before the application deadline date.

(4) The minister may consider an application that is postmarked after the application deadline date if the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been postmarked on or before that date.

9 Jly 2010 cF-8.001 Reg 40 s8.

Approval of application

9 If the minister is satisfied that an applicant meets the requirements set out in these regulations and has complied with the regulations, the minister may approve payment of a support payment to that applicant.

9 Jly 2010 cF-8.001 Reg 40 s9.

Calculation of support payment

10(1) Subject to subsection (2), the support payment that may be paid to an eligible applicant is the amount P calculated in accordance with the following formula:

$$P = (L1 \times \$60) + (L2 \times \$50) + (L3 \times \$25) + (L4 \times \$12.50) + (L5 \times \$10)$$

where:

L1 is the number of eligible livestock that are horses that were owned by the applicant as of January 1, 2010 and that are normally grazed on land in the designated region during the grazing season;

L2 is the number of eligible livestock that are beef cattle and bison that were owned by the applicant as of January 1, 2010 and that are normally grazed on land in the designated region during the grazing season;

L3 is the number of eligible livestock that are elk that were owned by the applicant as of January 1, 2010 and that are normally grazed on land in the designated region during the grazing season;

L4 is the number of eligible livestock that are deer, llamas, caribou and reindeer that were owned by the applicant as of January 1, 2010 and that are normally grazed on land in the designated region during the grazing season; and

L5 is the number of eligible livestock that are sheep, goats and alpacas that were owned by the applicant as of January 1, 2010 and that are normally grazed on land in the designated region during the grazing season.

(2) No support payment is to be paid to an applicant if the amount of the support payment is less than \$50.

9 Jly 2010 cF-8.001 Reg 40 s10.

Duplicate applications

11(1) Not more than one support payment is to be made with respect to any eligible livestock.

(2) If the minister receives more than one application for any eligible livestock, the minister shall determine which application, if any, to accept.

9 Jly 2010 cF-8.001 Reg 40 s11.

Conditions of program

12(1) As a condition of participating in the program and receiving a support payment, an applicant shall:

(a) grant access, at any reasonable time, to land on which the applicant conducts the applicant's livestock operations to any persons designated by the minister to verify information required to substantiate the applicant's eligibility or the amount of a support payment that may be paid to the applicant or to verify the applicant's compliance with these regulations;

(b) consent to any other person, agency, organization, association, institution or body releasing information to the minister respecting the applicant's livestock operations; and

(c) provide to the minister, on the minister's request and within the period set by the minister, the applicant's income tax records for one or more years, or any other information that the minister may require, to verify the applicant's eligibility or the amount of a support payment that may be paid to the applicant or to verify the applicant's compliance with these regulations.

(2) No applicant shall fail to comply with any condition set out in subsection (1).

(3) No person shall supply any false or misleading information to the minister on any application or in response to any request for information from the minister.

9 Jly 2010 cF-8.001 Reg 40 s12.

Overpayments

13(1) The minister may declare all or any portion of a support payment made to an eligible applicant pursuant to these regulations to be an overpayment if the minister is satisfied that:

(a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;

(b) the applicant has knowingly omitted to make a statement or to provide any information or document if the omission results in a statement with respect to a material fact being misleading; or

(c) the applicant has failed to comply with these regulations.

(2) If the minister declares all or any portion of a support payment to be an overpayment, the eligible applicant shall pay interest on the amount of the support payment that is declared to be an overpayment commencing on the 30th day after the date of the declaration at the rate equal to the sum of:

- (a) the prime lending rate of the bank holding Saskatchewan's general revenue fund; and
- (b) 2%.

(3) If the minister declares all or any portion of a support payment to be an overpayment, the amount of the overpayment and any interest to be paid pursuant to subsection (2) is deemed to be a debt due and owing to the Government of Saskatchewan and may be recovered from the applicant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

9 Jly 2010 cF-8.001 Reg 40 s13.

Termination if moneys fully utilized

14(1) Notwithstanding any other provision of these regulations, if the minister determines that moneys in the account have been fully allocated, the minister may refuse to approve any application and the applicant is not eligible to receive any support payment with respect to that application.

(2) If the minister makes a determination pursuant to subsection (1), the minister may cause the effective date of the determination:

- (a) to be posted on the website of the ministry over which the minister presides; and
- (b) to be made public in any other manner that the minister considers appropriate.

(3) The effective date of the determination may be an earlier date than the date on which the minister makes public the effective date of the determination.

(4) The program is terminated on the effective date of the determination as made public by the minister.

9 Jly 2010 cF-8.001 Reg 40 s14.

Coming into force

15 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

9 Jly 2010 cF-8.001 Reg 40 s15.

Expiry and repeal

16 These regulations expire and are repealed on December 31, 2013.

9 Jly 2010 cF-8.001 Reg 40 s16.

Appendix

TABLE 1

*[Subclauses 2(f)(i) and (ii)]***Rural Municipalities**

The Rural Municipality of Canaan No. 225
The Rural Municipality of Victory No. 226
The Rural Municipality of Lacadena No. 228
The Rural Municipality of Coteau No. 255
The Rural Municipality of King George No. 256
The Rural Municipality of Monet No. 257
The Rural Municipality of Snipe lake No. 259
The Rural Municipality of Newcombe No. 260
The Rural Municipality of Chesterfield No. 261
The Rural Municipality of Fertile Valley No. 285
The Rural Municipality of Milden No. 286
The Rural Municipality of St. Andrews No. 287
The Rural Municipality of Pleasant valley No. 288
The Rural Municipality of Kindersley No. 290
The Rural Municipality of Milton No. 292
The Rural Municipality of Montrose No. 315
The Rural Municipality of Harris No. 316
The Rural Municipality of Marriott No. 317
The Rural Municipality of Mountain View No. 318
The Rural Municipality of Winslow No. 319
The Rural Municipality of Oakdale No. 320
The Rural Municipality of Prairiedale No. 321
The Rural Municipality of Antelope Park No. 322
The Rural Municipality of Vanscoy No. 345
The Rural Municipality of Perdue No. 346
The Rural Municipality of Biggar No. 347
The Rural Municipality of Grandview No. 349
The Rural Municipality of Mariposa No. 350
The Rural Municipality of Progress No. 351
The Rural Municipality of Heart's Hill No. 352
The Rural Municipality of Eagle Creek No. 376
The Rural Municipality of Glenside No. 377
The Rural Municipality of Rosemount No. 378
The Rural Municipality of Reford No. 379
The Rural Municipality of Tramping lake No. 380
The Rural Municipality of Grass lake No. 381
The Rural Municipality of Eye Hill No. 382
The Rural Municipality of Mayfield No. 406
The Rural Municipality of Buffalo No. 409
The Rural Municipality of Round valley No. 410

The Rural Municipality of Senlac No. 411
The Rural Municipality of Douglas No. 436
The Rural Municipality of North Battleford No. 437
The Rural Municipality of Battle River No. 438
The Rural Municipality of Cut Knife No. 439
The Rural Municipality of Hillsdale No. 440
The Rural Municipality of Manitou lake No. 442
The Rural Municipality of Meeting lake No. 466
The Rural Municipality of Round Hill No. 467
The Rural Municipality of Meota No. 468
The Rural Municipality of Turtle River No. 469
The Rural Municipality of Paynton No. 470
The Rural Municipality of Eldon No. 471
The Rural Municipality of Wilton No. 472
The Rural Municipality of Spiritwood No. 496
The Rural Municipality of Medstead No. 497
The Rural Municipality of Parkdale No. 498
The Rural Municipality of Mervin No. 499
The Rural Municipality of Frenchman Butte No. 501
The Rural Municipality of Britannia No. 502
The Rural Municipality of Big River No. 555
The Rural Municipality of Loon lake No. 561
The Rural Municipality of Meadow lake No. 588
The Rural Municipality of Beaver River No. 622

TABLE 2
[Subclause 2(f)(iii)]**Counties and other areas**

Acadia No. 34	Northern Sunrise County
Athabasca County	Opportunity No. 17
Barrhead County No. 11	Paintearth County No. 18
Beaver County	Parkland County
Big Horn No. 8	Peace No. 135
Big Lakes No. 125	Ponoka County
Birch Hills County	Provost No. 52
Bonnyville No. 87	Red Deer County
Brazeau County	Rocky View No. 44
Camrose County	Saddle Hills County
City of Calgary	Smoky Lake County
Clear Hills County	Smoky River No. 130
Clearwater County	Special Area No. 2
City of Edmonton	Special Area No. 3
Fairview No. 136	Special Area No. 4
Flagstaff County	Spirit River No. 133
Foothills No. 31	St. Paul County No. 19
Grand Prairie County No. 1	Starland County (and Drumheller)
Greenview No. 16	Stettler County No. 6
Kneehill County	Strathcona County (and Elk Island)
Lac La Biche (Lakeland) County	Sturgeon County
Lac Ste. Anne County	Thorhold County No. 7
Lacombe County	Two Hills County No. 21
Lamont County	Vermilion River County No. 24
Leduc County	Wainwright No. 61
Lesser Slave Lake No. 124	Westlock County
Minburn County No. 27	Wetaskiwin County No. 10
Mountain View County	Wheatland County
Northern Lights County	Woodlands County
	Yellowhead County

