

The Horned Cattle Purchases Act

being

Chapter H-6 of *The Revised Statutes of Saskatchewan, 1978* (effective February 26, 1979) as amended by the *Statutes of Saskatchewan, 1979, c.30; 1983, c.45; 1983-84, c.16 and 34; and 1991, c.T-1.1.*

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 H-6

An Act respecting the Disposition of Deductions made on the Purchase of Cattle with Horns

Short title

1 This Act may be cited as *The Horned Cattle Purchases Act*.

Interpretation

2 In this Act:

- (a) “**cattle**” means any animal of the bovine species weighing not less than 100 kilograms;
- (b) “**cattle with horns**” means cattle that are not polled or have not been dehorned;
- (c) “**committee**” means the Horned Cattle Purchases Act Advisory Committee appointed pursuant to section 7;
- (d) “**fund**” means the Horned Cattle Fund established under section 6;
- (e) “**inspector**” means a person appointed as or authorized to be an inspector under this Act;
- (f) “**dealer**” means a person who is or is required to be licensed as a livestock dealer in and for the province;
- (g) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned; and
- (h) “**pure bred cattle**” means cattle registered in the Canadian National Live Stock Records or in any records recognized by the Canadian National Live Stock Record Committee.

1983, c.45, s.3.

Deduction by dealer on purchase of cattle with horns

3 Every dealer who purchases cattle with horns, other than pure bred cattle being purchased for breeding purposes, shall purchase them at the current market price for cattle which are polled or have been dehorned, and shall pay that price to the vendor, less the sum of \$2 for each head of such cattle with horns so purchased.

R.S.S. 1978, c.H-6, s.3.

Returns and remittance by livestock dealer or inspector

4 Every dealer or inspector shall make or cause to be made, and submit to the minister, a return as prescribed in the regulations, together with the amount deducted or collected pursuant to section 3 or subsection 5(2), as the case may be, less any commission that may be prescribed in the regulations.

1979, c.30, s.4.

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5(1) No owner of cattle shall, by himself or by his agent, transport or drive on foot any cattle with horns to any point outside the province, except an approved inspection point in Alberta or Manitoba that may be prescribed in the regulations, unless he has remitted to the minister the amount mentioned in section 3 for each head of cattle with horns transported.

(2) Every owner of cattle who delivers cattle with horns to any place in Alberta or Manitoba as prescribed in subsection (1) shall pay to the inspector, at the place of inspection, the amount mentioned in section 3 for each head of cattle with horns inspected.

1979, c.30, s.5.

Horned Cattle Fund

6(1) The special trust fund kept by the Minister of Finance pursuant to this Act on the day before this section comes into force is continued as the Horned Cattle Fund.

(2) The assets and liabilities of the special trust fund are deemed to be the assets and liabilities of the fund.

(3) A reference in any Act, regulation, order, bylaw or other instrument to the special trust fund is deemed to be a reference to the Horned Cattle Fund.

(4) Any moneys deducted or collected under this Act and received by the minister shall be deposited in the fund together with any income accruing therefrom, and shall, with the approval of the minister, be used for:

- (a) paying or discharging expenses incurred in the administration of this Act;
- (b) making grants or other payments and discharging expenses for the purposes of:
 - (i) the general improvement of cattle, including financial support for agricultural societies and exhibitions;
 - (ii) improving the means or methods of managing, handling, housing, pasturing, nutrition or feeding of cattle;
 - (iii) research with respect to the losses of cattle production caused by disease, insects or parasites;
 - (iv) research with respect to the costs of production or losses associated with the breeding, rearing, feeding, finishing or marketing of cattle through experimental purposes; and
 - (v) supporting projects pertaining to cattle and their products as approved by the committee.

(5) Any moneys in the fund may be invested at the discretion of the Minister of Finance and any moneys accruing from such an investment shall form a part of the fund.

(6) The fund shall be administered in accordance with this Act and the regulations.

1983, c.45, s.4.

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Treasury Board may make orders and issue directives

6.1 The Treasury Board may make orders and issue directives respecting the accounting for the fund mentioned in section 6 and, without limiting the generality of the foregoing, may make orders and issue directives:

- (a) governing the accounting for expenditures made and revenues received;
- (b) governing the accounting records to be maintained in the management of the fund;
- (c) governing the manner in which the financial statement for the fund shall be prepared;
- (d) appointing an auditor of the fund.

1979, c.30, s.7; 1983-84, c.16, s.9 and c.34, s.8.

Annual report

6.2(1) In each fiscal year, the department, in accordance with *The Tabling of Documents Act, 1991*, shall prepare and submit to the minister a financial statement showing the business of the fund for the preceding fiscal year.

(2) The financial statement mentioned in subsection (1) is to be in the form required by Treasury Board.

(3) In accordance with *The Tabling of Documents Act, 1991*, the minister shall lay before the Assembly each financial statement received by the minister pursuant to subsection (1).

(4) In this section:

- (a) **“department”** means the department over which the minister presides;
- (b) **“fiscal year”** means the period commencing on April 1 in one year and ending on March 31 in the following year.

1991, c.T-1.1, s.23.

Advisory committee

7(1) The minister shall establish a committee, to be called the Horned Cattle Purchases Act Advisory Committee, consisting of:

- (a) one person nominated by the National Farmers' Union (Saskatchewan Region);
- (b) one person nominated by the Saskatchewan Association of Rural Municipalities;
- (c) two persons nominated by the Saskatchewan Cattle Breeders' Association;
- (d) one person nominated by the Saskatchewan Dairy Association;
- (e) one person nominated by the Saskatchewan Federation of Agriculture;
- (f) two persons nominated by the Saskatchewan Stock Growers' Association;

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- (g) one person nominated by the Western Cow-Calf Producers' Association Inc.; and
 - (h) one non-voting representative of the minister.
- (2) The committee may meet from time to time upon the request of the minister and shall act in an advisory capacity to the minister and may make recommendations with respect to programs, projects and policies that the committee deems expedient pursuant to clause 6(4)(b) and the cost of which ought, in the opinion of the committee, to be paid out of moneys received by the minister pursuant to sections 4 and 5.
- (3) At the first meeting of the committee and annually thereafter the committee shall elect a chairman from among its members.
- (4) Subject to the regulations, the committee may determine its own rules and procedures including the method of calling meetings and of giving notice to the members of the committee.
- (5) The members of the committee are entitled to receive any remuneration and expenses that the minister may determine for attending meetings and for otherwise attending to the affairs of the committee and those payments may be paid out of the fund.

R.S.S. 1978, c.H-6, s.7; 1983, c.45, s.5.

Inspectors

- 8(1) Every inspector shall for the purposes of this Act have the powers of a constable.
- (2) Every member of the Royal Canadian Mounted Police and every inspector under *The Animal Products Act* shall *ex officio* be an inspector under this Act.

R.S.S. 1978, c.H-6, s.8; 1979, c.30, s.8.

Penalty

- 9 Every person who fails to comply with any of the provisions of this Act or the regulations or who knowingly makes a false statement in a return to the minister is guilty of an offence and liable on summary conviction, if a corporation, to a fine of not more than \$500 and if a natural person to a fine of not more than \$200 and in default of payment to imprisonment for a term of not more than ninety days.

R.S.S. 1978, c.H-6, s.9.

Cancellation of licence on conviction

- 10 If a person is convicted of an offence under this Act, any licence held by him pursuant to any Act of the Legislature authorizing him to operate an abattoir, a packing plant or cannery or to carry on business as a cattle dealer, may be cancelled by the issuer thereof.

R.S.S. 1978, c.H-6, s.10.

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Recovery of sums payable under Act

11 All sums payable to the minister pursuant to this Act may be recovered by the minister as a debt due to the Crown.

R.S.S. 1978, c.H-6, s.11.

Regulations

12 The Lieutenant Governor in Council may make regulations respecting the procedure to be followed in relation to any matter or thing, the doing of which is authorized or required by this Act, and regulations so made shall have the same force and effect as if incorporated herein.

R.S.S. 1978, c.H-6, s.12.

