

**PART II****REVISED REGULATIONS OF SASKATCHEWAN****CHAPTER F-8.001 REG 15***The Farm Financial Stability Act*

Sections 22, 24, 26, 33 and 84

Order in Council 533/1999, dated August 17, 1999

(Filed August 18, 1999)

**Title**

**1** These regulations may be cited as *The Unseeded Acreage Benefit Program Regulations*.

**Interpretation**

**2** In these regulations:

- (a) **“account”** means the Unseeded Acreage Benefit Account established in the fund pursuant to section 4;
- (b) **“Act”** means *The Farm Financial Stability Act*;
- (c) **“benefit”** means a benefit calculated in accordance with section 9 that is payable from the account pursuant to the program;
- (d) **“corporation”** means the corporation appointed pursuant to section 5 to administer the program and the account;
- (e) **“crop year”** means the period commencing on August 1 in one year and ending on July 31 in the following year;
- (f) **“program”** means the Unseeded Acreage Benefit Program established pursuant to section 3.

**Program established**

**3(1)** The Unseeded Acreage Benefit Program is established for the purposes of subsection 22(1) of the Act.

(2) The purpose of the program is to provide assistance to producers who were unable to seed land on or before June 25, 1999 due to excessive spring moisture conditions and who are not insured for the 1999-2000 crop year under a contract of crop insurance pursuant to *The Crop Insurance Act*.

**Account established**

**4(1)** The Unseeded Acreage Benefit Account is established in the fund pursuant to clause 24(2)(a) of the Act for the purpose of administering the program.

(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 subsection (2);
  - (b) all other moneys appropriated by the Legislature for the purposes of the program;
  - (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 moneys payable to producers in accordance with these regulations are to be paid from the account.

**Corporation appointed**

5(1) The Saskatchewan Crop Insurance Corporation is appointed, pursuant to clause 26(1)(b) of the Act, to:

- (a) administer the program; and
  - (b) administer the account.
- (2) For the purpose of administering the program and the account, the corporation has:
- (a) all the powers given to it pursuant to *The Crop Insurance Act*; and
  - (b) any other power necessary to administer the program and the account.
- (3) Without limiting the generality of subsection (2), for the purpose of administering the program and the account, the corporation may:
- (a) appoint or engage any professional and technical personnel that may be required and determine their salaries and other remuneration;
  - (b) employ any officers and other employees that the corporation considers necessary for its purposes;
  - (c) make bylaws respecting the conduct of its proceedings and generally for the conduct of its activities;
  - (d) police and audit program compliance;
  - (e) enter into any agreement with any person, agency, organization, association, institution or body that the corporation considers advisable;
  - (f) execute any bills of exchange, promissory notes and other negotiable or transferable instruments;
  - (g) undertake research, conduct studies and provide information to producers in relation to commodities;
  - (h) use any moneys received in the account for the purposes of the program to:
    - (i) pay benefits pursuant to the program; and
    - (ii) pay the expenses incurred by the corporation in administering the program and the account;

- (i) 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
- (j) dispose of any investment made pursuant to clause (i), subject to the terms of the investment, in any manner, on any terms and in any amount that the corporation considers advisable.

**Eligibility**

**6(1)** To be eligible to apply to the program, a producer must:

- (a) be a producer of a commercial agricultural crop in Saskatchewan;
- (b) be the operator of a farm, as determined by the corporation in accordance with the rules established in *The Crop Insurance Regulations*; and
- (c) have sustained losses resulting from the producer's inability to seed certain lands on or before June 25, 1999 due to excessive spring moisture conditions.

(2) No person is eligible to apply to the program who is an insured for the 1999-2000 crop year under a contract of crop insurance pursuant to *The Crop Insurance Act*.

**Application**

**7(1)** A producer who meets the requirements of section 6 and wishes to participate in the program must submit to the corporation, in the form required by the corporation:

- (a) an application that is completed in all respects; and
- (b) any other information that the corporation may require to consider the application.

(2) All applications must be received by the corporation on or before September 30, 1999.

**Application approval**

**8** Where the corporation receives an application pursuant to section 7 and is satisfied that the producer has complied with these regulations, the corporation shall pay a benefit to the producer, calculated in accordance with section 9.

**Calculation of benefit**

**9(1)** Subject to subsection (3), the benefit payable by the corporation to a producer pursuant to the program is the amount  $I_1$  calculated in accordance with the following formula:

$$I_1 = [EA - (SA + UA)] \times \$25$$

where:

EA is the producer's eligible acres calculated in accordance with subsection (2);

SA is the producer's seeded acres; and

UA is the producer's unseeded acres that, in the opinion of the corporation, were dry enough to seed on or before June 25, 1999.

(2) For the purposes of subsection (1), the producer's eligible acres is equal to the amount EA calculated in accordance with the following formula:

$$EA = CA \times SI \times 95\%$$

where:

CA is the number of the producer's cultivated acres available for crop production in 1999; and

SI is the producer's seeding intensity, being the percentage of cultivated acres seeded by the producer in any crop year, determined on the basis of the producer's historical seeding pattern.

(3) Subject to subsection (5), if the producer was unable to seed all of his or her summerfallow acres on or before June 25, 1999 due to excessive spring moisture, the benefit payable by the corporation to the producer pursuant to the program is the greater of:

- (a) the amount  $I_1$  determined pursuant to subsection (1); and
- (b) the amount  $I_2$  calculated in accordance with the following formula:

$$I_2 = [ESA - (SSA + USA)] \times \$25$$

where:

ESA is the producer's eligible summerfallow acres calculated in accordance with subsection (4);

SSA is the producer's seeded summerfallow acres; and

USA is the producer's unseeded summerfallow acres that, in the opinion of the corporation, were dry enough to seed on or before June 25, 1999.

(4) For the purposes of subsection (3), the producer's eligible summerfallow acres is equal to the amount ESA calculated in accordance with the following formula:

$$ESA = SFA \times 95\%$$

where SFA is the producer's summerfallow acres available for crop production in 1999.

(5) The total number of summerfallow acres on which a benefit is payable pursuant to subsection (3) shall not exceed the producer's eligible acres calculated in accordance with subsection (2).

#### **Verification of application**

**10(1)** By applying to the program, the producer agrees that any persons designated by the corporation shall have access to the producer's farm at any reasonable time to verify information required to substantiate the producer's application and, for that purpose, may measure the producer's land by any method acceptable to the corporation.

(2) The corporation may, at any time, request that the Canadian Wheat Board, or any other person, agency, organization, association, institution or body, provide the corporation with information respecting the farming operations of a producer, and, by applying to the program, the producer is deemed to have authorized and consented to the release of that information to the corporation.

**Reconsideration of determination**

**11(1)** Within 30 days after a determination of a benefit by the corporation pursuant to the program, the producer may request, in writing that the corporation reconsider the determination.

(2) Where the corporation receives a request pursuant to subsection (1), the corporation shall reconsider the determination and may confirm, reverse or vary that determination.

(3) Nothing in these regulations entitles a producer to a hearing before the corporation.

**Revision of determination**

**12(1)** Subject to subsection (2), the corporation may revise a determination of a benefit pursuant to the program:

- (a) after reinspecting the acreage to which the determination relates; or
- (b) after receiving information that the initial determination was incorrect.

(2) The corporation must complete any revision of a determination of a benefit within one year after the date of the original determination.

**Time of payment**

**13** The corporation may pay benefits pursuant to the program in the manner and at the time determined by the corporation.

**Overpayments**

**14(1)** If a person contravenes any provision of these regulations, the corporation may declare that any benefit, or portion of a benefit, received by that person is an overpayment.

(2) Any overpayment made to a person, including a benefit declared as an overpayment pursuant to subsection (1), is a debt due to the corporation and may be recovered in any manner authorized by *The Financial Administration Act, 1993* or in any other manner authorized by law.

**Limitation of actions**

**15** Every action or proceeding by or on behalf of a producer against the corporation with respect to any benefit paid or refused to be paid pursuant to these regulations must be commenced by July 31, 2001.

**Fiscal year**

**16** The fiscal year of the program and the account is the fiscal year of the corporation.

**Annual report**

**17** The corporation shall report on the activities of the program and the account in its annual report prepared pursuant to *The Crop Insurance Act*.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 65/1999***The Milk Control Act, 1992*

## Section 10

Board Order, dated August 10, 1999

(Filed August 10, 1999)

**Title**

1 These regulations may be cited as *The Milk Control Amendment Regulations, 1999 (No. 8)*.

**R.R.S. c.M-15 Reg 1, Appendix amended**

2 **Part II of the Appendix to *The Milk Control Regulations* is amended:**

**(a) in clause 2(c) by striking out “acidphilus” and substituting “acidophilus”;**

**(b) in subsection 3(1):**

**(i) by repealing clauses (a) and (b) and substituting the following:**

“(a) in the case of class 1a milk:

(i) \$42.49 per 100 kilograms of skim milk; and

(ii) \$5.30 per kilogram of butterfat;

“(b) in the case of class 1b milk:

(i) \$42.49 per 100 kilograms of skim milk; and

(ii) \$5.30 per kilogram of butterfat”; **and**

**(ii) by repealing clauses (c) to (j) and substituting the following:**

“(c) in the case of class 1c milk:

(i) \$42.49 per 100 kilograms of skim milk; and

(ii) \$5.30 per kilogram of butterfat;

“(d) in the case of class 2 milk:

(i) \$5.4730 per kilogram of butterfat;

(ii) \$4.0138 per kilogram of protein; and

(iii) \$4.0138 per kilogram of other solids;

“(e) in the case of class 3a milk:

(i) \$5.4730 per kilogram of butterfat;

(ii) \$9.2100 per kilogram of protein; and

(iii) \$0.5791 per kilogram of other solids;

- “(f) in the case of class 3b milk:
  - (i) \$5.4730 per kilogram of butterfat;
  - (ii) \$9.2100 per kilogram of protein; and
  - (iii) \$0.5791 per kilogram of other solids;
- “(g) in the case of class 4a milk:
  - (i) \$5.4730 per kilogram of butterfat;
  - (ii) \$3.7938 per kilogram of protein; and
  - (iii) \$3.7938 per kilogram of other solids;
- “(h) in the case of class 4b milk:
  - (i) \$5.4730 per kilogram of butterfat;
  - (ii) \$3.7938 per kilogram of protein; and
  - (iii) \$3.7938 per kilogram of other solids;
- “(i) in the case of class 4c milk:
  - (i) \$5.4730 per kilogram of butterfat;
  - (ii) \$3.7938 per kilogram of protein; and
  - (iii) \$3.7938 per kilogram of other solids;
- “(j) in the case of class 4d milk:
  - (i) \$5.4730 per kilogram of butterfat;
  - (ii) \$3.7938 per kilogram of protein; and
  - (iii) \$3.7938 per kilogram of other solids”;

**(c) by repealing subsection 3(3) and substituting the following:**

“(3) Subject to subsection (3.1), the price per 100 kilograms of milk, or per kilogram of butterfat, protein or other solids, to be paid from the pool by the board or the agent to a producer is the price to be paid by the distributor, as set out in subsection (1)”; **and**

**(d) by repealing subsections 3(4) to (6).**

**Coming into force**

**3** These regulations come into force on August 1, 1999.

**SASKATCHEWAN REGULATIONS 66/1999***The Milk Control Act, 1992*

## Section 10

Board Order, dated August 18, 1999

(Filed August 18, 1999)

**Title**

**1** These regulations may be cited as *The Milk Control Amendment Regulations, 1999 (No. 9)*.

**R.R.S. c.M-15 Reg 1, Appendix amended**

**2** Subsection 3(1) of Part II of the Appendix to *The Milk Control Regulations* is amended:

**(a) in clause (k):**

**(i)** in subclause (i) by striking out “\$4.5450” and substituting “\$5.1218”; and

**(ii)** in subclause (ii) by striking out “\$5.8375” and substituting “\$7.2771”; and

**(b) in clause (l):**

**(i)** in subclause (i) by striking out “\$5.2033” and substituting “\$4.7117”;

**(ii)** in subclause (ii) by striking out “\$2.7860” and substituting “\$2.8019”; and

**(iii)** in subclause (iii) by striking out “\$2.7860” and substituting “\$2.8019”.

**Coming into force**

**3** These regulations come into force on September 1, 1999.



**SASKATCHEWAN REGULATIONS 67/1999***The Crop Insurance Act*

## Section 22

Order in Council 532/1999, dated August 17, 1999

(Filed August 18, 1999)

**Title**

**1** These regulations may be cited as *The Crop Insurance Amendment Regulations, 1999 (No. 2)*.

**R.R.S. c.C-47.2 Reg 1 amended**

**2** *The Crop Insurance Regulations* are amended in the manner set forth in these regulations.

**Section 11.2 amended**

**3** **Subsections 11.2(2) to (5) are repealed and the following substituted:**

“(2) Subject to subsection (4), the indemnity in dollars payable by the corporation to the insured with respect to unseeded acreage insurance is the amount  $I_1$  calculated in accordance with the following formula:

$$I_1 = [EA - (SA + UA)] \times II \times \$25$$

where:

EA is the insured's eligible acres calculated in accordance with subsection (3);

SA is the insured's seeded acres;

UA is the insured's unseeded acres that, in the opinion of the corporation, were dry enough to seed on or before June 20; and

II is the insured's insurance intensity, being the percentage of seeded acres insured by the insured in any crop year, determined on the basis of the insured's historical pattern of insuring crops.

“(3) For the purposes of subsection (2), the insured's eligible acres is equal to the amount EA calculated in accordance with the following formula:

$$EA = CA \times SI \times 90\%$$

where:

CA is the number of the insured's cultivated acres available for crop production in the current year; and

SI is the insured's seeding intensity, being the percentage of cultivated acres seeded by the insured in any crop year, determined on the basis of the insured's historical seeding pattern.

“(4) Subject to subsection (6), if an insured is unable to seed all of his or her summerfallow acres on or before June 20 in any year due to excessive spring moisture, the indemnity in dollars payable by the corporation to the insured with respect to unseeded acreage insurance is the greater of:

- (a) the amount  $I_1$  determined pursuant to subsection (2); and
- (b) the amount  $I_2$  calculated in accordance with the following formula:

$$I_2 = [ESA - (SSA + USA)] \times II \times \$25$$

where:

ESA is the insured’s eligible summerfallow acres calculated in accordance with subsection (5);

SSA is the insured’s seeded summerfallow acres;

USA is the insured’s unseeded summerfallow acres that, in the opinion of the corporation, were dry enough to seed on or before June 20; and

II is the insured’s insurance intensity, being the percentage of seeded acres insured by the insured in any crop year, determined on the basis of the insured’s historical pattern of insuring crops.

“(5) For the purposes of subsection (4), the insured’s eligible summerfallow acres is equal to the amount ESA calculated in accordance with the following formula:

$$ESA = SFA \times 90\%$$

where SFA is the insured’s summerfallow acres available for crop production in the current year”.

**Appendix, Form A amended**

4(1) Form A of the Appendix is amended in the manner set forth in this section.

**(2) Subsection 7(3) is amended by striking out “Where” and substituting “Subject to subsection (3.1), where”.**

**(3) The following subsection is added after subsection 7(3):**

“(3.1) For 1999 only, where acreage intended for seeding remains unseeded on June 25, 1999 because of excessive spring moisture, an insured shall notify the corporation, in person or in writing delivered by registered mail or personally not later than September 30, 1999, that an adjustment is required”.

**(4) The following section is added after section 8:**

**“1999 supplemental unseeded acreage benefit**

8.1(1) In this section, ‘**supplemental unseeded acreage benefit**’ means the sum of:

- (a) the basic benefit, calculated in accordance with subsections (3) to (7); and
- (b) the enhanced benefit, calculated in accordance with subsection (8).

(2) In addition to any indemnity payable pursuant to section 11.2 of the regulations, for 1999 only, the corporation shall pay a supplemental unseeded acreage benefit to every insured who:

- (a) holds a valid contract of crop insurance for 1999;
- (b) was unable to seed crops on insured acreage on or before June 25, 1999 due to excessive spring moisture; and
- (c) notifies the corporation in accordance with subsection 7(3.1) that an adjustment is required.

(3) Subject to subsection (5), the basic benefit payable by the corporation to an insured with respect to acreage that remains unseeded on June 25, 1999 due to excessive spring moisture is the amount  $I_1$  calculated in accordance with the following formula:

$$I_1 = [EA - (SA + UA)] \times \$25$$

where:

EA is the insured's eligible acres calculated in accordance with subsection (4);

SA is the insured's seeded acres; and

UA is the insured's unseeded acres that, in the opinion of the corporation, were dry enough to seed on or before June 25, 1999.

(4) For the purposes of subsection (3), the insured's eligible acres is equal to the amount EA calculated in accordance with the following formula:

$$EA = CA \times SI \times 95\%$$

where:

CA is the number of the insured's cultivated acres available for crop production in 1999; and

SI is the insured's seeding intensity, being the percentage of cultivated acres seeded by the insured in any crop year, determined on the basis of the insured's historical seeding pattern.

(5) Subject to subsection (7), if the insured was unable to seed all of his or her summerfallow acres on or before June 25, 1999 due to excessive spring moisture, the basic benefit payable by the corporation to the insured with respect to the unseeded acreage is the greater of:

- (a) the amount  $I_1$  determined pursuant to subsection (3); and
- (b) the amount  $I_2$  calculated in accordance with the following formula:

$$I_2 = [ESA - (SSA + USA)] \times \$25$$

where:

ESA is the insured's eligible summerfallow acres calculated in accordance with subsection (6);

SSA is the insured's seeded summerfallow acres; and

USA is the insured's unseeded summerfallow acres that, in the opinion of the corporation, were dry enough to seed on or before June 25, 1999.

(6) For the purposes of subsection (5), the insured's eligible summerfallow acres is equal to the amount ESA calculated in accordance with the following formula:

$$\text{ESA} = \text{SFA} \times 95\%$$

where:

SFA is the insured's summerfallow acres available for crop production in 1999.

(7) The total number of summerfallow acres on which the basic benefit is payable pursuant to subsection (5) shall not exceed the insured's eligible acres calculated in accordance with subsection (4).

(8) In addition to the basic benefit payable to an insured in accordance with this section, the corporation shall pay the insured an enhanced benefit equal to any incremental amount payable as a result of recalculating the insured's unseeded acreage insurance pursuant to section 11.2 of the regulations, using a factor of 95% rather than 90% to determine the insured's eligible acres and eligible summerfallow acres.

(9) No premium is payable by an insured with respect to any benefit payable pursuant to this section".

**Coming into force**

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