

The Agri-Food Regulations, 2004

being

Chapter A-15.21 Reg 1 (effective October 8, 2004) as amended
by Saskatchewan Regulations 54/2013 and 75/2022.

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 A-15.21 REG 1

The Agri-Food Act, 2004

Title

- 1** These regulations may be cited as *The Agri-Food Regulations, 2004*.

Interpretation

- 2** In these regulations, “**Act**” means *The Agri-Food Act, 2004*.

Agency orders

- 3** In approving an order of an agency pursuant to subsection 12(4) of the Act, the council shall fix the period, not to exceed 10 years, during which the order is to be in effect.

24 Sept 2004 cA-15.21 Reg 1 s3.

- 4 Repealed.** 5 Jly 2013 SR 54/2013 s2.

Rules re appeals

- 5(1)** Every appellant who makes an appeal in accordance with subsections 29(2) and 29(3) of the Act shall:

- (a) serve a written notice of appeal on the appeal committee;
- (b) include with the written notice mentioned in clause (a) an appeal application fee in the amount of \$100; and
- (c) set out in the written notice mentioned in clause (a) concisely and completely the reason for the appeal, including:
 - (i) the specific act or omission of the agency that the appellant is appealing;
 - (ii) the date of the act or omission of the agency;
 - (iii) the grounds for the appeal, including the provision of the Act, the regulations made pursuant to the Act or order that the appellant believes that the agency has contravened; and
 - (iv) the grounds that the appellant has for believing that he or she has a sufficient personal interest in the subject-matter of the appeal.

- (2) The minister shall cause the application fee required pursuant to clause (1)(b) to be refunded to the appellant in the event the committee rules in favour of the appellant on the appeal.

- (3) The application fee required pursuant to clause (1)(b) must:

- (a) be in the form of a cheque or money order; and
- (b) be payable to the Minister of Finance.

24 Sept 2004 cA-15.21 Reg 1 s5.

Rules re establishing development commissions

6(1) A group of persons engaged in the production, marketing, or production and marketing of an agricultural product or agricultural products seeking the establishment of a development commission in accordance with section 4 of the Act shall submit to the minister:

- (a) their request for the establishment of the plan;
 - (b) a copy of the proposed plan signed by their representatives; and
 - (c) any other information that the minister considers necessary.
- (2) The minister shall refer the application to the council for its review and recommendation.
- (3) After reviewing the proposed plan and receiving the council's recommendation, the minister may:
- (a) recommend to the Lieutenant Governor in Council that the plan be established without a vote of producers;
 - (b) direct that a question respecting the approval of the establishment of the plan be submitted to a vote of producers as defined in the proposed plan; or
 - (c) decide that the plan not be established.
- (4) If the minister directs that a vote be held in accordance with clause (3)(b), the minister may set, by order, the minimum number of votes required to be cast, or the percentage of the producers eligible to vote in accordance with the plan that must vote, in order for the vote to be valid.
- (5) For the purposes of a vote to be held in accordance with clause (3)(b), the minimum percentage of producers who vote that must vote in favour of the plan in order for the plan to be eligible for establishment is 60%.
- (6) If a vote is held in accordance with clause (3)(b) and, as a result of the vote, the plan is eligible for establishment, the minister may:
- (a) recommend to the Lieutenant Governor in Council that the plan be established; or
 - (b) decide that the plan not be established.

24 Sept 2004 cA-15.21 Reg 1 s6.

Rules re establishing a development board or a marketing board

7(1) A group of persons engaged in the production, marketing, or production and marketing of an agricultural product or agricultural products seeking the establishment of a development board in accordance with section 5 of the Act or a marketing board in accordance with section 6 of the Act, shall submit to the minister:

- (a) their request for the establishment of the plan;
- (b) a copy of the proposed plan signed by their representatives; and
- (c) any other information that the minister considers necessary.

- (2) The minister shall refer the application to the council for its review and recommendation.
- (3) After reviewing the proposed plan and receiving the council's recommendation, the minister may:
- (a) direct that a question respecting the approval of the establishment of the plan be submitted to a vote of producers as defined in the proposed plan; or
 - (b) decide that the plan not be established.
- (4) If the minister directs that a vote be held in accordance with clause (3)(a), the minister may set, by order, the minimum number of votes required to be cast, or the percentage of the producers eligible to vote in accordance with the plan that must vote, in order for the vote to be valid.
- (5) For the purposes of a vote to be held in accordance with clause (3)(a), the minimum percentage of producers who vote that must vote in favour of the plan in order for the plan to be eligible for establishment is:
- (a) in the case of a vote respecting the establishment of a development board, 60%; or
 - (b) in the case of a vote respecting the establishment of a marketing board, 80%.
- (6) If a vote is held in accordance with clause (3)(a) and, as a result of the vote, the plan is eligible for establishment, the minister may:
- (a) recommend to the Lieutenant Governor in Council that the plan be established; or
 - (b) decide that the plan not be established.

24 Sept 2004 cA-15.21 Reg 1 s7.

Power of council re agreements

- 8 For the purposes of section 22 of the Act, the council has the following powers:
- (a) to enter into agreements for any purpose associated with the production, marketing or development of agricultural products with:
 - (i) the Government of Canada;
 - (ii) the government of any other province or territory of Canada;
 - (iii) any agent of any of the governments mentioned in subclauses (i) and (ii); or
 - (iv) any other body empowered by an Act of the Parliament of Canada, or of any other province or territory of Canada, to market or promote, facilitate, control, regulate or prohibit the production or marketing of any agricultural product; and

(b) to enter into an agreement with any agency for any purpose that the council considers necessary or appropriate respecting:

- (i) the carrying out of the agency's plan; or
- (ii) the supervisory powers of the council respecting that agency.

24 Sept 2004 cA-15.21 Reg 1 s8.

Agency agreements with government or agency

8.1 For the purposes of section 35 of the Act, any agency may enter into agreements for any purpose associated with the production, marketing or development of agricultural products with any government or agency mentioned in clause 35(1)(a) of the Act.

30 Sep 2022 SR 75/2022 s2.

R.R.S. c.A-15.2 Reg 1 repealed

9 *The Agri-Food Regulations* are repealed.

24 Sept 2004 cA-15.21 Reg 1 s9.

Coming into force

10(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Agri-Food Act, 2004* is proclaimed in force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Agri-Food Act, 2004* is proclaimed in force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

24 Sept 2004 cA-15.21 Reg 1 s10.