

The
Department of
Agriculture, Food and
Rural Revitalization
Act

being

Chapter D-8 of *The Revised Statutes of Saskatchewan, 1978* (effective February 26, 1979) as amended by the *Statutes of Saskatchewan, 1979, c.15; 1980-81, c.49; 1982-83, c.16; 1983, c.3 and 11; 1991, c.T-1.1; 1993, c.55; 1996, c.28 and 43; 1997, c.33; 1998, c.P-4.1; 2000, c.40 and 50; and 2002, c.17.*

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 D-8

An Act respecting the Department of Agriculture, Food and Rural Revitalization

Short title

1 This Act may be cited as *The Department of Agriculture, Food and Rural Revitalization Act*.

R.S.S. 1978, c.D-8, s.2; 2000, c.40, s.4; 2002,
c.17, s.4.

Interpretation

1.1 In this Act:

- (a) “**department**” means the Department of Agriculture, Food and Rural Revitalization;
- (b) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned.

1983, c.3, s.3; 2000, c.40, s.5; 2002, c.17, s.5.

Department continued

- 2(1)** The department of the Government of Saskatchewan called the Department of Agriculture, Food and Rural Revitalization is continued.
- (2)** The Minister of Agriculture, Food and Rural Revitalization shall preside over the department.

R.S.S. 1978, c.D-8, s.2; 2000, c.40, s.6; 2002,
c.17, s.6.

Staff

3 The staff of the department is to consist of a deputy minister and any other employees that are required for the proper conduct of the business of the department.

2002, c.17, s.7.

Seal

4 The Lieutenant Governor in Council may create a seal for the department and may alter or modify that seal.

2002, c.17, s.7.

Scope

5 All that part of the administration of the Government of Saskatchewan relating to agriculture and food shall be under the control of the department.

R.S.S. 1978, c.D-8, s.5; 2000, c.40, s.9.

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6 The minister shall:

- (a) administer all Acts of the Legislature relating to agriculture and food;
- (b) promote the agricultural or agri-food interests of the province;
- (c) encourage the production and processing of, and facilitate the marketing of, field and garden crops, live stock and livestock products;
- (d) promote and encourage co-operation among agriculturalists;
- (e) institute inquiries and collect facts and statistics relating to agriculture, agri-food or other interests of Saskatchewan; and
- (f) issue such reports, statistics, circulars and other publications as he deems advisable.

R.S.S. 1978, c.D-8, s.6; 2000, c.40, s.10.

Assistance to agricultural and food industries

7(1) Subject to *The Federal-Provincial Agreements Act*, the minister may, on behalf of the Government of Saskatchewan, enter into any agreement with the Government of Canada or the government of any other province or territory or with any person, agency, organization, association, enterprise, institution or body within or outside Saskatchewan that the minister considers necessary or advisable for the following purposes:

- (a) improving the agricultural or agri-food industries;
- (b) assisting persons engaged in the agricultural or agri-food industries;
- (c) furthering agricultural or food testing, research, demonstration, processing and production.

(2) For the purposes of carrying out an agreement entered into pursuant to subsection (1), the minister may do any of the following:

- (a) provide assistance by way of grants, conditional grants or loans;
- (b) enter into funding agreements, patent agreements, intellectual property agreements, royalty agreements, commercial marketing agreements or convertible repayment agreements;
- (c) enter into any other type of agreement that the minister considers appropriate.

2000, c.40, s.11.

Power of minister to acquire personal property

7.1 For the purposes mentioned in subsection 7(1), the minister may, on behalf of the Government of Saskatchewan:

- (a) acquire, by purchase or otherwise, personal property, including securities;
- (b) insure, maintain or repair any property acquired by the minister pursuant to clause (a);

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(c) sell, transfer, assign or otherwise dispose of any property acquired by the minister pursuant to clause (a), on any terms and conditions that the minister considers appropriate; and

(d) determine the form of and enter into any security agreement that the minister considers necessary.

2000, c.40, s.11.

Power of minister to engage consultants, establish boards, etc.

8 The minister may, for the purpose of carrying out his duties pursuant to this Act:

(a) engage the services of such consultants or other persons as he considers necessary to conduct studies, investigations or research into matters relating to agriculture, or agriculture and food, and may make payment to them for their services and for expenses incurred by them;

(b) establish such boards, committees or councils as he considers necessary to advise him with respect to matters relating to agriculture, or agriculture and food, and make payment to the members thereof for their services and for expenses incurred by them.

R.S.S. 1978, c.D-8, s.8; 2000, c.40, s.12.

9 Repealed. 2000, c.40, s.13.

Financial assistance

9.1 The minister may, for any purpose relating to any matter under his administration or for which he is responsible, provide financial assistance with respect to any programs, and in accordance with any terms or conditions, that are prescribed in the regulations to any person, agency, organization, association, institution or other body within or outside Saskatchewan.

1983, c.11, s.19.

International aid

9.2 Without limiting the generality of section 9.1, the minister may, in consultation with any groups or organizations that he considers appropriate, develop a program whereby the Government of Saskatchewan may provide financial assistance for the purposes of international aid or development.

1983, c.11, s.19; 2000, c.40, s.14.

Grants

10 Subject to such regulations as the Lieutenant Governor in Council may prescribe, the minister may, out of moneys appropriated by the Legislature for the purpose, make grants or awards to operators of family farms, as defined in *The Family Farm Credit Act*, and any of the members of their families, whose record of achievement in agriculture, or agriculture and food, and of service to their community has been of outstanding significance.

R.S.S. 1978, c.D-8, s.10; 2000, c.40, s.15.

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11(1) The minister shall, in accordance with *The Tabling of Documents Act, 1991*, submit to the Lieutenant Governor in Council an annual report respecting the work performed by the department.

(2) The report required by subsection (1) shall be laid before the Legislative Assembly in accordance with *The Tabling of Documents Act, 1991*.

R.S.S. 1978, c.D-8, s.11; 2000, c.40, s.16.

Persons required to furnish information

12(1) All officers of agricultural societies, rural and urban municipalities, school boards, conseils scolaires, public institutions and incorporated companies, threshing machine operators, public officers of the province, medical practitioners and veterinary surgeons shall promptly answer communications from the department, shall from time to time collect and tabulate facts according to instructions furnished to them by the department, and shall make diligent efforts to supply correct information on all questions submitted to them.

(2) A person mentioned in subsection (1) who neglects or refuses to comply with that subsection, when requested to do so by the minister, is guilty of an offence and liable on summary conviction to a fine not exceeding \$25.

R.S.S. 1978, c.D-8, s.12; 1982-83, c.16, s.12;
1993, c.55, s.173.

Power to enter upon land

13(1) The minister may, by surveyors, engineers, agrologists, workmen and servants enter upon any land to whomsoever belonging, and survey and take levels of the land and take such borings and samples from the surface or lower levels of the land as he deems necessary for any purpose relating to the development, study or investigation of any irrigation, drainage, flood control, water storage, underground water or land reclamation project, the development, study or investigation of which he considers to be in the public interest.

(2) Subsection (1) applies only if the minister or a person acting on his behalf has requested the owner or occupant of the land to grant permission to enter upon the land and permission has not been granted.

(3) Where, under subsection (1), land is entered upon, the person entering and every person who thereafter does anything that he is under subsection (1) authorized by the minister to do shall take such reasonable precautions as may be necessary to avoid causing unnecessary damage to the land, and if any damage is done the minister shall pay to the owner of the land a reasonable sum to compensate him for the damage.

(4) No person shall obstruct, hinder or molest a surveyor, engineer, agrologist, workman or servant engaged in doing anything that he is under subsection (1) authorized by the minister to do.

R.S.S. 1978, c.D-8, s. 13.

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Agricultural Supplies Revolving Fund

14(1) In this section and in section 15:

- (a) **“Agricultural Supplies Advance Account”** means the advance account mentioned in section 14, as that section existed before the coming into force of this section;
 - (b) **“revolving fund”** means the Agricultural Supplies Revolving Fund established in subsection (2).
- (2) A revolving fund, to be known as the Agricultural Supplies Revolving Fund, is established and the minister shall administer the revolving fund.
- (3) The minister may use the revolving fund to purchase agricultural supplies for distribution or re-sale to farmers, rural municipalities or other organizations for use in agricultural operations.
- (4) Subject to subsection (11), the Minister of Finance shall pay out of the consolidated fund on behalf of the revolving fund any sum of money the minister may require:
- (a) to purchase or rent any equipment that is, in his opinion, necessary to store, handle, move or ship any inventory of agricultural supplies handled through the revolving fund;
 - (b) to purchase any supplies required for the operation, maintenance or repair of the equipment mentioned in clause (a);
 - (c) to purchase pesticides to combat any emergency outbreak of agricultural pests;
 - (d) to purchase agricultural supplies that are, in his opinion, required:
 - (i) for crop or livestock improvement; or
 - (ii) to overcome any emergency shortage that may occur in the agricultural industry; and
 - (e) to pay for labour, supervisory and administrative costs associated with:
 - (i) the provision of agricultural supplies;
 - (ii) the maintenance and repair of any equipment; and
 - (iii) the administration of the revolving fund.
- (5) The minister shall pay to the consolidated fund all or any part of any surplus in the revolving fund that Treasury Board may direct.
- (6) Where the minister provides goods or services through the revolving fund, he may charge a fee to recover amounts incurred by the revolving fund to provide those goods or services.
- (7) Where the minister charges a fee pursuant to subsection (6), he shall include any additional amounts that Treasury Board directs.

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(8) Subject to any terms and conditions that Treasury Board may impose, the minister may sell, rent, lease or otherwise dispose of property and assets acquired by him through the revolving fund.

(9) Subject to subsection (10), all amounts received pursuant to this section are to be paid to the Minister of Finance and credited to the revolving fund.

(10) Any amounts received pursuant to subsection (7) are to be paid to the Minister of Finance and credited to the consolidated fund.

(11) The sum of:

(a) all liabilities due to the Minister of Finance from the revolving fund on the day this section comes into force; and

(b) any payments made by the Minister of Finance on behalf of the revolving fund;

less any amounts credited to the revolving fund is not to exceed an amount that may be set by order of the Lieutenant Governor in Council.

(12) 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 revolving fund for the preceding fiscal year.

(13) The financial statement mentioned in subsection (12) is to be in the form required by Treasury Board.

(14) 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 (12).

1983, c.3, s.4; 1991, c.T-1.1, s.15.

Transitional

15 On the day this section comes into force:

(a) the assets and liabilities of the Agricultural Supplies Advance Account, at their book value as at March 31, 1982, are deemed to be transferred to and to become the assets and liabilities of the revolving fund;

(b) all advances made to the Agricultural Supplies Advance Account after March 31, 1982 are deemed to have been payments from the consolidated fund on behalf of the revolving fund on the date each advance was made;

(c) all deposits made to the consolidated fund to reduce advances to the Agricultural Supplies Advance Account after March 31, 1982 are deemed to have been made to the credit of the revolving fund on the date each deposit was made; and

(d) all changes in the assets and liabilities of the Agricultural Supplies Advance Account other than those mentioned in clauses (a) to (c) occurring after March 31, 1982 are deemed to be changes in the assets and liabilities of the revolving fund on the date each change occurred.

1983, c.3, s.4.

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16 Repealed. 1998, c.P-4.1, s.15.

17 Repealed. 1998, c.P-4.1, s.15.

Livestock services revolving fund

17.1(1) In this section “**revolving fund**” means the Livestock Services Revolving Fund established pursuant to subsection (2).

(2) A revolving fund, to be known as the Livestock Services Revolving Fund, is established.

(3) The minister shall administer the revolving fund.

(4) The minister may use the revolving fund to:

(a) provide services related to the production, manufacture, sale, purchase, transportation and inspection of animals or animal products;

(b) provide services related to the registration and use of animal identification marks;

(c) provide services related to the licensing of producers and dealers for the purposes of the production, purchase or sale of animals;

(d) provide services related to the collection of deductions related to cattle marketing and horned cattle; and

(e) provide for the development and administration of legislative and regulatory requirements related to any matter mentioned in clauses (a) to (d).

(5) Subject to subsection (12), the Minister of Finance shall pay out of the general revenue fund on behalf of the revolving fund any sum of money that the minister may require:

(a) to purchase or lease any machinery, equipment or motor vehicles that are, in the minister’s opinion, necessary to provide any service mentioned in subsection (4);

(b) to purchase any supplies necessary for the operation, maintenance or repair of the machinery, equipment or motor vehicles mentioned in clause (a);

(c) to purchase any supplies, services or materials that are, in the minister’s opinion, necessary to provide a service mentioned in subsection (4);

(d) to pay for labour, supervisory and administrative costs associated with:

(i) the provision of a service mentioned in subsection (4);

(ii) the maintenance and repair of any machinery, equipment or motor vehicles mentioned in clause (a); and

(iii) the administration of the revolving fund.

(6) The minister shall pay into the general revenue fund all or any part of any surplus in the revolving fund that Treasury Board may direct.

(7) Where the minister provides a service through the revolving fund for which no fee is provided by Act or regulation, the minister may charge a fee to recover amounts incurred by the revolving fund to provide that service.

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- (8) Where the minister charges a fee pursuant to subsection (7), the minister shall include any additional amount that Treasury Board may direct.
- (9) Subject to any terms and conditions that Treasury Board may impose, the minister may sell, rent, lease or otherwise dispose of property and assets acquired through the revolving fund.
- (10) The following shall be paid to the Minister of Finance and credited to the revolving fund:
- (a) all fees charged pursuant to subsection (7);
 - (b) all payments made pursuant to subsection (9);
 - (c) all fees charged for licensing, registration or inspection pursuant to *The Animal Products Act* or *The Animal Identification Act* or any regulations made pursuant to those Acts except *The Fur Farming Regulations*, *The Game Farming and Game Products Merchandising Regulations, 1989*, “The Saskatchewan Egg Regulations”, being Saskatchewan Regulations 269/78, “The Saskatchewan Hatchery Regulations, 1978”, being Saskatchewan Regulations 268/78, and “The Saskatchewan Poultry Regulations”, being Saskatchewan Regulations 257/78.
- (11) Any amounts received pursuant to subsection (8) are to be paid to the Minister of Finance and credited to the general revenue fund.
- (12) The total of all payments made by the Minister of Finance on behalf of the revolving fund, less any amounts credited to the revolving fund, is not to exceed an amount that may be set by order of the Lieutenant Governor in Council.
- (13) The fiscal year of the revolving fund is the period commencing on April 1 of one year and ending on March 31 of the following year.
- (14) 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, in a form set by Treasury Board, showing the business of the revolving fund for the preceding fiscal year.
- (15) The minister shall lay before the Legislative Assembly each financial statement received by the minister pursuant to subsection (14) in accordance with *The Tabling of Documents Act, 1991*.

1996, c.43, s.2.

Transfer of assets and liabilities from the Agri-Food Equity Fund

- 17.11(1) In this section and in sections 17.12 and 17.13, “**former fund**” means the Agri-Food Equity Fund established pursuant to section 17.2, as that section existed on the day before the coming into force of this section.
- (2) Subject to section 17.12, this section applies notwithstanding any other Act or law or any provision in any agreement entered into by the minister on or before the coming into force of this section.

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- (3) On the day on which this section comes into force:
- (a) the assets and liabilities of the former fund are transferred to and become the assets and liabilities of the Agricultural Credit Corporation of Saskatchewan; and
 - (b) the former fund is wound-up.
- (4) On the transfer of the assets and liabilities mentioned in subsection (3), the Agricultural Credit Corporation of Saskatchewan:
- (a) may deal with the assets and exercise the rights with respect to the assets in the same manner as the minister was entitled to before the coming into force of this section; and
 - (b) shall discharge the liabilities to the same extent as the minister was obliged to do before the coming into force of this section.
- (5) For the purposes of every registry office and other public office in Saskatchewan, this Act is, on the coming into force of this section, a valid grant, conveyance, transfer and assignment to the Agricultural Credit Corporation of Saskatchewan of the assets and liabilities of the former fund.
- (6) Subject to subsection (7), it is not necessary to register or file this Act, or register, file or issue any further or other instrument, document or certificate, or make any entry showing the transfer or assignment to the Agricultural Credit Corporation of Saskatchewan of the assets and liabilities of the former fund.
- (7) If an instrument dealing with any of the assets or liabilities of the former fund is presented by the Agricultural Credit Corporation of Saskatchewan for registration in a registry office or other public office in Saskatchewan, the instrument is to be accompanied by an affidavit of the proper officer of the Agricultural Credit Corporation of Saskatchewan stating that this section applies to the assets or liabilities described in the instrument.

2002, c.17, s.8.

Further transfers

17.12(1) In this section, “**former fund assets and liabilities**” means the assets and liabilities of the former fund that were transferred to the Agricultural Credit Corporation of Saskatchewan pursuant to clause 17.11(3)(a).

(2) The minister may transfer any former fund assets and liabilities from the Agricultural Credit Corporation of Saskatchewan to any other department, agency or Crown corporation.

(3) Subsections 17.11(2), (4), (5), (6) and (7) apply, with any necessary modification, to a transfer of former fund assets and liabilities pursuant to subsection (2) of this section.

2002, c.17, s.8.

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Transitional – winding-up of the Agri-Food Equity Fund

17.13(1) Notwithstanding the winding-up of the former fund pursuant to section 17.11, the Provincial Auditor or any other auditor or firm of auditors that the Lieutenant Governor in Council may appoint shall audit the accounts and financial statements of the former fund:

- (a) for the fiscal year ending on March 31, 2002; and
- (b) for the period ending on the date on which the former fund is wound-up.

(2) Notwithstanding the winding-up of the former fund pursuant to section 17.11, the department shall, in accordance with *The Tabling of Documents Act, 1991*, submit to the minister a report on the activities of the former fund and a financial statement showing the business of the former fund:

- (a) for the fiscal year ending on March 31, 2002; and
- (b) for the period ending on the date on which the former fund is wound-up.

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

(4) In accordance with *The Tabling of Documents Act, 1991*, the minister shall lay before the Legislative Assembly each report and financial statement received by the minister pursuant to subsection (2).

2002, c.17, s.8.

17.2 Repealed. 2002, c.17, s.9.

17.3 Repealed. 2002, c.17, s.9.

17.4 Repealed. 2002, c.17, s.9.

18 to 28 Repealed. 1983, c.3, s.4.

Regulations

29 For the purposes of carrying out this Act according to its intent, the Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) **Repealed.** 2002, c.17, s.10.
- (c) **Repealed.** 2002, c.17, s.10.
- (d) **Repealed.** 2002, c.17, s.10.
- (e) **Repealed.** 2002, c.17, s.10.
- (f) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;
- (g) respecting any matter or thing that the Lieutenant Governor in Council considers necessary or advisable to carry out the intent of this Act.

1997, c.33, s.4; 2002, c.17, s.10.

30 Repealed. 2000, c.50, s.5.

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**Editorial Appendix
(Amendments)**

The following table contains amendments to be proclaimed and/or effective at a future date, as follows: (Please refer to the Tables of Saskatchewan Statutes and Regulations for complete historical/archival information on this publication)

Amending Year	Chapter	Section	Effective
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