The
Grain Charges
Limitation Act

being

Chapter G-6 of The Revised Statutes of Saskatchewan, 1978 (effective February 26, 1979) as amended by the Statutes of Saskatchewan, 1979-80, c.M-32.01; 1983, c.11; and 1996, c.32.

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 G-6

An Act limiting Charges on Grain delivered to Elevators

Short title
1 This Act may be cited as The Grain Charges Limitation Act.

Limitation of charges
2(1) Subject to subsection (2), upon delivery to an elevator licensed under the Canada Grain Act of grain grown in the province, every charge thereon subsisting at the time of delivery shall, so far as the operator or manager of the elevator is concerned, cease and determine and be void and of no effect with respect to the grain so delivered and the proceeds thereof, except:

(a) charges securing payment of moneys to the Government of Canada, the Government of Saskatchewan or a rural municipality;

(b) charges arising under The Seed Grain Advances Act, or section 20 of The Bills of Sale Act, or the corresponding section of any former Bills of Sale Act;

of which written notice has been given to the operator or manager of the elevator before delivery of the grain.

(2) Nothing in subsection (1) affects any charge on grain where written notice thereof is received by the operator or manager of an elevator after delivery of the grain to him and before settlement by him for the grain, and where it appears from the notice that it is given in respect of a claim arising under a share of crop lease or agreement for sale of land, or under a duly registered chattel mortgage given to secure the purchase price of seed grain or meat, groceries, flour, clothing, coal or binder twine and executed in the year in which the grain is delivered, or under a statutory lien on crops, grown in the year in which the grain is delivered, to secure the purchase price of seed grain or supplies, or both, or under a lien on the grain under The Threshers’ Lien Act.

(3) Subject to subsection (4), every charge subsisting on grain grown in the province shall, to the extent only of any advance payment authorized and made in respect thereof under the Prairie Grain Advance Payments Act (Canada), cease and determine and be void and of no effect.

(4) Subsection (3) does not apply to any of the following charges on grain of which written notice has, before the making of the advance payment, been given to the manager or operator of the elevator or other person authorized to make the payment:

(a) charges securing payment of moneys to the Government of Canada, the Government of Saskatchewan, a rural municipality or the Minister of Rural Affairs on behalf of a local improvement district;
(b) charges arising under *The Seed Grain Advances Act*, or section 20 of the *The Bills of Sale Act*, or the corresponding section of any former *Bills of Sale Act*.

(5) In this Act “charge” includes:

(a) liens and encumbrances of every kind and description whether created by contract, statute or otherwise;

(b) orders affecting grain or the proceeds thereof and assignments and transfers of or affecting grain or the proceeds thereof;

(c) any writing that is received by the operator or manager of an elevator and that does not expressly declare that it is not intended to affect and shall not affect grain or the proceeds thereof;

and “operator” and “manager” of an elevator have the same meanings as in the *Canada Grain Act*.

R.S.S. 1978, c.G-6, s.2; 1979-80, c.M-32.01, s.14; 1983, c.11, s.30; 1996, c.32, s.6.