

UNEDITED

The Seed-control Areas Act

being

Chapter 217 of *The Revised Statutes of Saskatchewan, 1953*
(effective February 1, 1954).

FOR HISTORICAL REFERENCE ONLY

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 217

An Act respecting Seed-control Areas and to facilitate the Growing of Pure Seed of Field Crops, Vegetables and Tubers

Short title

1 This Act may be cited as *The Seed-control Areas Act*.

R.S.S. 1953, c.217, s.1.

Meeting of occupiers

2 In this Act:

“committee”

1 “**committee**” means the seed-control committee of a seed-control area constituted under this Act;

“minister”

2 “**minister**” means the Minister of Agriculture;

“occupier”

3 “**occupier**” means any person in actual occupation of and using land, whether as owner, purchaser, lessee or otherwise howsoever;

“seed”

4 “**seed**” means the seed of any field crop, vegetable or tuber;

“seed-control area”

5 “**seed-control area**” means a seed-control area constituted under this Act.

1951, c.63, s.2; R.S.S. 1953, c.217, s.2.

Meeting of occupiers

3(1) Any five occupiers of lands within an area which they propose to have constituted a seed-control area under this Act may by public notice call a meeting of the occupiers of land within that area at a time and place named in the notice.

(2) The notice shall contain a description of the area proposed to be constituted a seed-control area.

(3) At least fifteen days before the day named for the meeting, a copy of the notice shall be posted up at each post office serving the area and at two other conspicuous public places in the area, and shall be published in at least one issue of a newspaper published in the province and circulating within the area.

(4) Every occupier of land within the area may attend and take part at the meeting, and a majority in number of the occupiers present at the meeting may decide to circulate a petition for the constitution of a seed-control area under this Act.

1951, c.63, s.3; R.S.S. 1953, c.217, s.3.

Petition for constitution of seed-control areas

4 The petition shall:

(a) be addressed to the Lieutenant Governor in Council, in a form prescribed by the regulations;

(b) contain a description of the proposed seed-control area;

- (c) specify the name of any kind or variety or grade of seed or crop as a seed or crop which may be grown or the growing of which may be prohibited within the proposed seed-control area or part thereof;
- (d) state the names of three persons whom the petitioners desire to be appointed as members of the seed-control committee of the seed-control area; and
- (e) be accompanied by a written consent signed by each of the three persons named signifying their willingness to act.

1951, c.63, s.4; R.S.S. 1953, c.217, s.4.

Constitution of seed-control area

5(1) Upon the presentation of the petition, accompanied by proof that the petition is signed by not less than seventy per cent in number of the occupiers of land in the proposed seed-control area, the Lieutenant Governor in Council may, subject to the provisions of subsection (2), by order constitute the lands described in the petition a seed-control area under such name as is considered advisable, and may appoint the persons nominated in the petition to be the seed-control committee of that seed-control area.

(2) In constituting the seed-control area the Lieutenant Governor in Council may change or vary the boundaries of the seed-control area as set out in the petition.

(3) The Lieutenant Governor in Council may, by the order constituting the seed-control area or by a subsequent order:

- (a) prescribe any kind or variety or grade of seed or crop as a seed or crop which may be grown within the seed-control area or part thereof; and
- (b) prohibit the growing of any designated kind or variety or grade of seed or crop within the seed-control area or part thereof.

1951, c.63, s.5; R.S.S. 1953, c.217, s.5.

Seed-control committee

6(1) Upon the making of the order constituting the seed-control area, the members of the committee appointed by the order and their successors in office shall become and be a body politic and corporate, under the name set out in the order, and the order shall be conclusive evidence of the regularity of all proceedings leading up to the constitution of the seed-control area and that the committee is duly appointed and incorporated under this Act.

(2) The number of members constituting the committee from time to time, the term of office of the members, the making of appointments of members and the constitution of a quorum shall be governed by the regulations.

1951, c.63, s.6; R.S.S. 1953, c.217, s.6.

Disorganization of area

7 Upon such conditions and subject to such provisions as are considered proper, the Lieutenant Governor in Council may by order cancel the constitution of any seed-control area and declare the committee thereof to be dissolved.

1951, c.63, s.7; R.S.S. 1953, c.217, s.7; R.S.S. 1953, c.217, s.7.

Powers and duties of committee

8(1) For the purpose of controlling, facilitating and committee protecting the growing of seed within the seed-control area, the committee shall have authority to carry out and enforce the provisions of this Act and the regulations.

(2) Without in any way limiting the generality of subsection (1), the powers and duties of the committee shall include the following:

- (a) the employment, direction and supervision of such servants and employees as may be considered necessary to enable the committee effectively to carry out its work, and the payment of the salaries or wages of the persons so employed;
- (b) the keeping of accurate records of the work done and of the costs and expenses incurred by the committee;
- (c) the submission of such reports as the minister may require;
- (d) recommending to the Lieutenant Governor in Council the name of any kind or variety or grade of seed or crop as a seed or crop which may be grown or the growing of which may be prohibited within the seed-control area or part thereof;
- (e) the exercise of such other powers and the performance of such other duties as may be prescribed by the regulations.

1951, c.63, s.8; R.S.S. 1953, c.217, s.8.

Grants to committee

9(1) The Lieutenant Governor in Council may grant to the committee, out of the current legislative appropriations for the "Improvement and Protection of Field Crops", moneys not to exceed \$100 in any fiscal year.

(2) The committee shall account to the minister for the expenditure of moneys so granted, at the times and in the form and manner prescribed by the regulations.

1951, c.63, s.9; R.S.S. 1953, c.217, s.9.

Expenditures restricted

10 The committee shall not undertake any expenditure or incur any liability in excess of the moneys contributed for the purposes of this Act by the occupiers of land within the seed-control area and moneys received pursuant to section 9.

1951, c.63, s.10; R.S.S. 1953, c.217, s.10.

Prohibitions affecting occupiers

11 No person shall grow or permit to grow on any land of which he is the occupier within a seed-control area, or within any part thereof, any kind or variety of seed or crop the growing of which is prohibited within that seed-control area or part thereof by any order made under section 5 or any regulation or order made under section 12.

1951, c.63, s.11; R.S.S. 1953, c.217, s.11.

Power to make regulations and orders

12(1) For the purpose of carrying into effect the provisions of this Act according to their true intent, the Lieutenant Governor in Council may make such regulations as he considers necessary or advisable.

(2) Without limiting the generality of subsection (1), the Lieutenant Governor in Council may make regulations or orders:

- (a) defining, redefining, reducing or extending the limits of a seed-control area;
- (b) prescribing the powers and duties of committees under this Act, the number of members constituting a committee, the term of office of members, the manner of nominating and appointing members and the number of members required to constitute a quorum;
- (c) regulating the times of meetings and the manner of calling and conducting meetings of occupiers of lands within a seed-control area, and the method of voting and the qualification of voters at those meetings;
- (d) prescribing the methods of seed-control work to be followed by the committee in respect of any seed-control area;
- (e) prescribing any kind or variety or grade of seed or crop as a seed or crop which may be grown within a seed-control area or part thereof;
- (f) prohibiting the growing of any designated kind or variety of seed or crop within the seed-control area or part thereof;
- (g) defining a variety area or areas within a seed-control area and prescribing the variety or varieties, grade or grades of seeds or crops which may be grown, or the growing of which is prohibited within any variety area so defined;
- (h) cancelling any or all variety areas;
- (i) providing for the inspection, testing and approval of the seed grown or produced within seed-control and variety areas and the inspection of seed-control and variety areas;
- (j) requiring and compelling the occupiers of lands within any seed-control area to prevent the blossoming or maturing on the lands occupied by them of seed-bearing plants or crops injurious or which might become injurious to any seed grown in that area pursuant to this Act;
- (k) regarding such other matters or things as may be deemed advisable, expedient or necessary to carry out the purposes and provisions of this Act.

1951, c.63, s.12; R.S.S. 1953, c.217, s.12.

Publication of regulations

13(1) All regulations made under section 12 shall be regulations forthwith published in *The Saskatchewan Gazette*.

(2) A copy of all regulations made under section 12 shall be forthwith forwarded to the committees of the seed-control areas affected thereby.

1951, c.63, s.13; R.S.S. 1953, c.217, s.13.

Order for destruction of crop

14(1) For the purpose of removing the danger of contamination of or injury to any crop prescribed by an order or regulation under this Act, the committee may, by order in writing signed by a majority of the members of the committee, require an occupier of land within the seed control area to destroy, within the period specified in the order and by any means designated in the order, a crop of a prohibited kind or variety, or a crop growing from a prohibited kind or variety or grade of seed, on land occupied by him.

(2) An order made under subsection (1) shall be served by personal service or by registered mail; and an order served by registered mail shall be deemed to have been served on the day of the date of the post office receipt form purporting to be signed by the occupier.

(3) An order made under subsection (1) shall, when served, have attached thereto a copy of this section and section 15.

(4) The occupier shall within three days from the date of service of the order upon him commence the work of destroying the crop as required by the order.

(5) If an occupier on whom an order made under subsection (1) has been served fails to commence the work ordered within the three days mentioned in subsection (4) or fails to carry out such work within the period specified and by the means designated in the order the committee, or its servant or employee authorized in writing, may, whether or not proceedings have been instituted or a conviction has been obtained under section 15, enter upon the land with necessary vehicles, animals, implements and equipment and perform the required work, and the expense of the work so performed may be recovered from the occupier as a debt due to the committee.

1952, c.78, s.2; R.S.S. 1953, c.217, s.14.

Offences and penalties

15 Any person who violates or fails to comply with any provision of this Act or any regulation or order made thereunder, or who hinders or obstructs the committee or any member, servant or employee of the committee in the performance or exercise of its or his duties or powers under this Act, is guilty of an offence and liable on summary conviction to a fine not exceeding \$100.

1951, c.63, s.14; 1952, c.78, s.3; R.S.S. 1953, c.217, s.15.

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