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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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January 19, 2018

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REVISED REGULATIONS OF SASKATCHEWAN

SASKATCHEWAN REGULATIONS 1/2018

The Agri-Food Act, 2004

Sections 7, 8 and 43

Order in Council 20/2018, dated January 11, 2018

(Filed January 11, 2018)

Title

1 These regulations may be cited as *The Chicken Marketing Plan Amendment Regulations, 2018*.

RRS c A-15.21 Reg 13 amended

2 *The Chicken Marketing Plan Regulations* are amended in the manner set forth in these regulations.

New section 29.1

3 **The following section is added after section 29:**

“New entrants

29.1 The board shall develop and maintain a policy that enables qualified persons to enter the industry and become licensed producers”.

New section 33

4 **Section 33 is repealed and the following substituted:**

“Acquiring base quotas

33(1) The board shall offer base quotas for sale in accordance with this section if:

- (a) a licensed producer’s base quota is cancelled; or
 - (b) the provincial base quota is expanded.
- (2) If a sale is required, the board shall offer base quotas for sale:
- (a) by auction;
 - (b) rateably based on the licensed producer’s base quota with a set price per unit of quota;
 - (c) by an equal share method per licensed producer with a set price per unit of quota; or
 - (d) by a combination of the methods set out in clauses (a), (b) and (c).
- (3) Within six months after the coming into force of these regulations, the board shall issue an order respecting the conditions under which a sale is to be conducted.
- (4) When a sale is required, the board shall issue an order respecting:
- (a) the manner of acquiring additional base quotas through a sale;
 - (b) the time, date and place of a sale;

(c) subject to these regulations, the eligibility requirements to participate in a sale;

(d) procedures and rules governing sales; and

(e) if applicable, the price per unit of quota.

(5) The board shall deposit in the fund all moneys it collects from the sale of base quotas pursuant to this section as a result of an expansion of the provincial base quota.

(6) The board shall return to the licensed producer all moneys it collects from the sale of the licensed producer's base quota pursuant to clause (1)(a) less the costs associated with administering the sale".

New section 41

5 Section 41 is repealed and the following substituted:

"Eligibility to vote and hold office

41(1) Every licensed producer is entitled to one vote.

(2) Voting by proxy is prohibited.

(3) Every licensed producer is eligible to hold office as a director.

(4) If a licensed producer is a corporation, partnership or other organization, it must appoint an individual who is a director, partner, shareholder, member or officer as its representative.

(5) The appointment of a representative pursuant to subsection (4) must be filed with the board in a form and manner acceptable to the board.

(6) A corporation, partnership or other organization is entitled to hold office only through a representative appointed pursuant to subsection (4)".

Section 42 amended

6 Subsection 42(3) is repealed and the following substituted:

"(3) Every nomination must:

(a) be made in writing in the form required by the board;

(b) be signed by:

(i) two licensed producers;

(ii) two representatives of licensed producers mentioned in subsection 41(4); or

(iii) any combination of the persons mentioned in subclauses (i) and (ii) totalling two persons;

(c) include a candidate profile, as required by the returning officer; and

(d) be delivered to the returning officer on or before the date fixed pursuant to clause (2)(a) as the last date for receipt of nominations.

"(4) Any information provided pursuant to subsection (3) is confidential and is not to be disclosed to any person until after the date fixed pursuant to clause (2)(a).

"(5) After the date fixed pursuant to clause (2)(a), the returning officer shall forward copies of all nominations to the board".

New sections 43 and 44**7 Sections 43 and 44 are repealed and the following substituted:****“Returning officer and scrutineers**

43(1) Subject to subsection (2), the board shall appoint a returning officer to conduct an election pursuant to section 44.

(2) Producers, buyers, processors and officers and employees of the board are not eligible to be appointed pursuant to subsection (1).

(3) The returning officer appointed pursuant to subsection (1) is responsible for all administrative procedures relating to conducting an election.

(4) Any licensed producer nominated pursuant to section 42 may provide a scrutineer to scrutinize the ballot verification and vote count that follow the close of an election.

“Conduct of elections

44(1) If not more than the required number of candidates is nominated pursuant to section 42, the candidates nominated are deemed to be elected by acclamation.

(2) If more than the required number of candidates is nominated pursuant to section 42, the board shall:

(a) fix a date for the completion of the election; and

(b) at least 15 business days before the date fixed pursuant to clause (a), provide to every licensed producer:

(i) a numbered ballot;

(ii) the candidate profile submitted pursuant to clause 42(3)(c); and

(iii) a notice that states the date and time by which and the place to which the ballot is to be returned; and

(c) if the board provides ballots pursuant to subclause (b)(i) in paper form, provide an envelope with the ballot.

(3) Every licensed producer that intends to vote in an election shall:

(a) complete the ballot provided by the board; and

(b) return the ballot to the returning officer in the manner stated in the notice sent pursuant to subclause (2)(b)(iii) by the date fixed for them to be returned.

(4) If a tie does not occur between candidates, the returning officer shall prepare and submit a written report to the chairperson that declares those candidates receiving the greatest number of votes, up to the number of director positions to be filled, to be directors.

(5) The ballot of a licensed producer is not valid if:

(a) the licensed producer votes for more than the specified number of candidates;

(b) it is defaced;

(c) it is marked in any way other than to vote for candidates;

- (d) it is not the original ballot provided by the board; or
 - (e) the individual who voted on behalf of the licensed producer voted more than once on behalf of that licensed producer.
- (6) Ties are to be decided by the drawing of lots.
- (7) If the number of candidates nominated pursuant to section 42 is greater than the number of director positions to be filled, the board shall not advertise in any manner any funding announcement, new program or new service provided by or delivered on behalf of the board during the period from the date fixed pursuant to clause 42(2)(a) to the date fixed pursuant to clause (2)(a)”.

New section 46

8 Section 46 is repealed and the following substituted:

“Election results

- 46(1)** The chairperson shall read the written report prepared pursuant to subsection 44(4) at the first annual general meeting of licensed producers after the election, immediately after the minutes of the previous meeting have been dealt with.
- (2) The reading of the written report pursuant to subsection (1) is deemed to be the declaration of the election of the directors.
- (3) The board shall:
- (a) within 10 business days after receiving the returning officer’s written report, provide to candidates notification of the election results, including total vote counts for all candidates; and
 - (b) make the written report of the returning officer available on request to any licensed producer”.

Section 47 amended

9 Subsection 47(1) is repealed and the following substituted:

- “(1) Subject to subsection (4), a director holds office:
- (a) in the case of an elected director, for a term of three years commencing with the declaration of the director’s election by the chairperson or returning officer, as the case may be, and until the director’s successor is elected or appointed; or
 - (b) in the case of an appointed director, until the next election is held after he or she is appointed and until the director’s successor is elected or appointed, as the case may be”.

New section 48

10 Section 48 is repealed and the following substituted:

“Retention of election records

- 48** The returning officer shall:
- (a) retain the following in his or her possession:
 - (i) the original nominations made pursuant to clause 42(3)(a);

- (ii) the original candidate profiles submitted pursuant to clause 42(3)(c);
- (iii) the ballots; and

(b) not destroy any nomination, candidate profile, ballot or other record respecting an election of directors until 35 days after the annual general meeting of licensed producers at which the results of the election were declared”.

Section 49 amended

11(1) Subsection 49(1) is repealed and the following substituted:

“(1) Any licensed producer nominated pursuant to section 42 may challenge the results of an election of directors, as provided pursuant to clause 46(3)(a), by submitting a written objection to the council”.

(2) Subsection 49(2) is repealed and the following substituted:

“(2) A written objection submitted pursuant to subsection (1) must:

- (a) set out the grounds for the objection; and
- (b) be received by the council within 30 days after notification of the election results pursuant to clause 46(3)(a)”.

Coming into force

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

SASKATCHEWAN REGULATIONS 2/2018*The Agri-Food Act, 2004*

Sections 7, 8 and 43

Order in Council 21/2018, dated January 11, 2018

(Filed January 11, 2018)

Title

1 These regulations may be cited as *The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2018*.

RRS c A-15.21 Reg 22 amended

2 *The Broiler Hatching Egg Marketing Plan Regulations, 2015* are amended in the manner set forth in these regulations.

New section 30

3 Section 30 is repealed and the following substituted:

“New entrants

30 The board shall develop and maintain a policy that enables qualified persons to enter the industry and become licensed producers”.

New section 35

4 Section 35 is repealed and the following substituted:

“Acquiring quotas

35(1) The board shall offer quotas for sale in accordance with this section if:

- (a) a licensed producer’s quota is cancelled;
- (b) production is expanded; or
- (c) the board determines that a sale is otherwise required.

(2) If a sale is required, the board shall offer quotas for sale:

- (a) by auction;
- (b) rateably based on the licensed producer’s existing quota with a set price per unit of quota; or
- (c) by a combination of the methods set out in clauses (a) and (b).

(3) Within six months after the coming into force of these regulations, the board shall issue an order respecting the conditions under which a sale is to be conducted.

(4) When a sale is required, the board shall issue an order respecting:

- (a) the manner of acquiring additional quotas through a sale;
- (b) the time, date and place of a sale;
- (c) subject to these regulations, the eligibility requirements to participate in a sale;
- (d) procedures and rules governing sales; and
- (e) if applicable, the price per unit of quota.

(5) The board shall deposit in the development fund all moneys it collects from the sale of quotas pursuant to clause (1)(b) or (c).

(6) The board shall return to the licensed producer all moneys it collects from the sale of the licensed producer's quota pursuant to clause (1)(a) less the costs associated with administering the sale".

New section 43

5 Section 43 is repealed and the following substituted:

"Eligibility to vote and hold office

43(1) Every licensed producer is entitled to one vote.

(2) Voting by proxy is prohibited.

(3) Every licensed producer is eligible to hold office as a director.

(4) If a licensed producer is a corporation, partnership or other organization, it must appoint an individual who is a director, partner, shareholder, member or officer as its representative.

(5) The appointment of a representative pursuant to subsection (4) must be filed with the board in a form and manner acceptable to the board.

(6) A corporation, partnership or other organization is entitled to hold office only through a representative appointed pursuant to subsection (4)".

Section 44 amended

6(1) Subsection 44(1) is amended by striking out "or designated representative".

(2) Subsection 44(3) is repealed and the following substituted:

"(3) Every nomination must:

(a) be made in writing in the form required by the board;

(b) be signed by:

(i) two licensed producers;

(ii) two representatives of licensed producers mentioned in subsection 43(4); or

(iii) any combination of the persons mentioned in subclauses (i) and (ii) totalling two persons;

(c) include a candidate profile, as required by the returning officer; and

(d) be delivered to the returning officer on or before the date fixed pursuant to clause (2)(a) as the last date for receipt of nominations.

"(4) Any information provided pursuant to subsection (3) is confidential and is not to be disclosed to any person until after the date fixed pursuant to clause (2)(a).

"(5) After the date fixed pursuant to clause (2)(a), the returning officer shall forward copies of all nominations to the board".

New sections 45 and 46**7 Sections 45 and 46 are repealed and the following substituted:****“Returning officer and scrutineers**

45(1) Subject to subsection (2), the board shall appoint a returning officer to conduct an election pursuant to section 46.

(2) Producers, buyers, owners and operators of hatcheries and officers and employees of the board are not eligible to be appointed pursuant to subsection (1).

(3) The returning officer appointed pursuant to subsection (1) is responsible for all administrative procedures relating to conducting an election.

(4) Any licensed producer nominated pursuant to section 44 may provide a scrutineer to scrutinize the ballot verification and vote count that follow the close of an election.

“Conduct of elections

46(1) If not more than the required number of candidates is nominated pursuant to section 44, the candidates nominated are deemed to be elected by acclamation.

(2) If more than the required number of candidates is nominated pursuant to section 44, the board shall:

(a) fix a date for the completion of the election; and

(b) at least 15 business days before the date fixed pursuant to clause (a), provide to every licensed producer:

(i) a numbered ballot;

(ii) the candidate profile submitted pursuant to clause 44(3)(c); and

(iii) a notice that states the date and time by which and the place to which the ballot is to be returned; and

(c) if the board provides ballots pursuant to subclause (b)(i) in paper form, provide an envelope with the ballot.

(3) Every licensed producer that intends to vote in an election shall:

(a) complete the ballot provided by the board; and

(b) return the ballot to the returning officer in the manner stated in the notice sent pursuant to subclause (2)(b)(iii) by the date fixed for them to be returned.

(4) If a tie does not occur between candidates, the returning officer shall prepare and submit a written report to the chairperson that declares those candidates receiving the greatest number of votes, up to the number of director positions to be filled, to be directors.

(5) The ballot of a licensed producer is not valid if:

(a) the licensed producer votes for more than the specified number of candidates;

(b) it is defaced;

- (c) it is marked in any way other than to vote for candidates;
 - (d) it is not the original ballot provided by the board; or
 - (e) the individual who voted on behalf of the licensed producer voted more than once on behalf of that licensed producer.
- (6) Ties are to be decided by the drawing of lots.
- (7) If the number of candidates nominated pursuant to section 44 is greater than the number of director positions to be filled, the board shall not advertise in any manner any funding announcement, new program or new service provided by or delivered on behalf of the board during the period from the date fixed pursuant to clause 44(2)(a) to the date fixed pursuant to clause (2)(a)".

New section 48

8 Section 48 is repealed and the following substituted:

“Election results

- 48(1)** The chairperson shall read the written report prepared pursuant to subsection 46(4) at the first annual general meeting of licensed producers after the election, immediately after the minutes of the previous meeting have been dealt with.
- (2) The reading of the written report pursuant to subsection (1) is deemed to be the declaration of the election of the directors.
- (3) The board shall:
- (a) within 10 business days after receiving the returning officer’s written report, provide to candidates notification of the election results, including total vote counts for all candidates; and
 - (b) make the written report of the returning officer available on request to any licensed producer”.

Section 49 amended

9(1) Subsection 49(1) is repealed and the following substituted:

- “(1) Subject to subsection (4), a director holds office:
- (a) in the case of an elected director, for a term of three years commencing with the declaration of the director’s election by the chairperson or returning officer, as the case may be, and until the director’s successor is elected or appointed; or
 - (b) in the case of an appointed director, until the next election is held after he or she is appointed and until the director’s successor is elected or appointed, as the case may be”.

(2) Subsection 49(3) is repealed and the following substituted:

“(3) If a director has completed four consecutive terms as set out in clause (1)(a), he or she is not eligible for re-election or reappointment until one year has passed since the completion of the director’s fourth consecutive term”.

(3) Subsection 49(5) is amended by striking out “or designated representative”.

New section 50**10 Section 50 is repealed and the following substituted:****“Retention of election records****50** The returning officer shall:

- (a) retain the following in his or her possession:
 - (i) the original nominations made pursuant to clause 44(3)(a);
 - (ii) the original candidate profiles submitted pursuant to clause 44(3)(c);
 - (iii) the ballots; and
- (b) not destroy any nomination, candidate profile, ballot or other record respecting an election of directors until 35 days after the annual general meeting of licensed producers at which the results of the election were declared”.

Section 51 amended**11(1) Subsection 51(1) is repealed and the following substituted:**

“(1) Any licensed producer nominated pursuant to section 44 may challenge the results of an election of directors, as provided pursuant to clause 48(3)(a), by submitting a written objection to the council”.

(2) Subsection 51(2) is repealed and the following substituted:

“(2) A written objection submitted pursuant to subsection (1) must:

- (a) set out the grounds for the objection; and
- (b) be received by the council within 30 days after notification of the election results pursuant to clause 48(3)(a)”.

Coming into force

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