

# *The Cattle Marketing Deductions Act*

*Repealed*

by [chapter C-3.1 of the Statutes of Saskatchewan, 1998](#)  
(effective August 1, 1998).

*Formerly*

[Chapter C-3 of The Revised Statutes of Saskatchewan, 1978](#) (effective February 26, 1979) as amended by [The Revised Statutes of Saskatchewan, 1978 \(Supplement\)](#), c.4, and the [Statutes of Saskatchewan, 1979](#), c.69; 1980-81, c.46; 1983, c.73; 1983-84, c.34; and 1991, c.T-1.1.

## **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 C-3

### An Act respecting Deductions made from the Marketing of Cattle

#### Short title

- 1 This Act may be cited as *The Cattle Marketing Deductions Act*.

#### Interpretation

- 2 In this Act:

- (a) “**cattle**” means any animal of the bovine species;
- (b) “**committee**” means the Cattle Marketing Deductions Act Advisory Committee appointed pursuant to section 7;
- (c) “**fund**” means the Cattle Marketing Deductions Fund established under section 6;
- (d) “**inspector**” means a person appointed as or authorized to be an inspector under this Act;
- (e) “**livestock dealer**” means a person who is licensed as a livestock dealer in and for the province;
- (f) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned.

R.S.S. 1978 (Supp.), c.4, s.3; 1983, c.73, s.5.

#### Deductions to be made by livestock dealer

- 3(1) Every livestock dealer who purchases cattle shall deduct from the purchase price of each head of cattle purchased the sum of money that may be specified in the regulations, but no such deductions shall exceed \$1 per animal.

- (2) **Repealed.** 1983, c.73, s.6.

R.S.S. 1978 (Supp.), c.4, s.3; 1983, c.73, s.6.

#### Returns and remittance by livestock dealer

- 4 Every livestock dealer or inspector shall make or cause to be made, and submit to the minister, a return as prescribed in the regulations together with the amount deducted or collected pursuant to section 3 or subsection 5(2), as the case may be, less any commission that may be prescribed in the regulations.

R.S.S. 1978 (Supp.), c.4, s.3.

#### Prohibition

- 5(1) No owner of cattle shall, by himself or by his agent, transport or drive on foot any cattle to any point outside the province, except an approved inspection point in Alberta or Manitoba that may be prescribed in the regulations, unless he has remitted to the minister the amount mentioned in section 3 for each head of cattle transported.

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(2) Every owner of cattle who delivers cattle to any place in Alberta or Manitoba as prescribed in subsection (1) shall pay to the inspector, at the place of inspection, the amount mentioned in section 3 for each head of cattle inspected.

R.S.S. 1978 (Supp.), c.4, s.3.

**Use of moneys in fund**

6(1) The Cattle Marketing Voluntary Deductions Act Trust Fund established by the Minister of Finance in a chartered bank or credit union is hereby continued as the Cattle Marketing Deductions Fund.

(1.1) The assets and liabilities of the Cattle Marketing Voluntary Deductions Act Trust Fund are deemed to be the assets and liabilities of the fund.

(1.2) A reference in any Act, regulation, order, resolution, bylaw or other instrument to the Cattle Marketing Voluntary Deductions Act Trust Fund is deemed to be a reference to the Cattle Marketing Deductions Fund.

(2) Any moneys deducted or collected under section 3 or 5 shall be deposited in the fund together with any income accruing therefrom, and shall, with the approval of the minister, be used for discharging expenses incurred:

- (a) in the administration of this Act; and
  - (b) by the committee for the purposes of:
    - (i) the general improvement of cattle;
    - (ii) research with respect to losses of cattle caused by disease, insects or parasites;
    - (iii) improving means or methods of the managing, handling, housing, pasturing, feeding or marketing of cattle by owners and livestock dealers;
    - (iv) the extension or expansion of markets for cattle and beef;
    - (v) the reduction of costs or losses incurred in the rearing, feeding or marketing of cattle;
    - (vi) the development, improvement and promotion of the cattle industry, as the committee considers necessary.
    - (vii) the reasonable support of any national organization that has as its object any of the purposes mentioned in subclauses (i) to (vi).
- (3) Any moneys in the fund may be invested at the discretion of the Minister of Finance and any moneys accruing from such an investment shall form a part of the fund.

(4) The fund shall be administered in accordance with this Act and the regulations.

(5) **Repealed.** 1983, c.73, s.7.

R.S.S. 1978 (Supp.), c.4, s.4; 1980-81, c.46, s.2;  
1983, c.73, s.7.

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**Appointment of committee**

7(1) The minister shall appoint a committee, to be called the Cattle Marketing Deductions Act Advisory Committee, consisting of:

- (a) two persons nominated by the Saskatchewan Stock Growers' Association;
  - (b) one person nominated by the Saskatchewan Cattle Feeders Association Inc.;
  - (c) one person nominated by the Saskatchewan Cattle Breeders' Association;
  - (d) one person nominated by the Saskatchewan Dairy Association;
  - (e) one person nominated by the Western Cow-Calf Producers' Association Inc.; and
  - (f) one non-voting representative of the minister.
- (2) At the first meeting of the committee, and annually thereafter, the committee shall elect a chairman and a vice-chairman from among its members.
- (3) Subject to the regulations, the committee may determine its own rules and procedures and method of calling meetings and of giving notice to the members of the committee.
- (4) The Lieutenant Governor in Council may determine the remuneration and expenses to be paid to the members of the committee for attending meetings and for otherwise attending to the affairs of the committee.

R.S.S. 1978 (Supp.), c.4, s.4; 1983, c.73, s.8.

**Fund administration**

8 Subject to section 6, the committee shall administer the use of the fund and authorize all expenditures therefrom except refunds of deductions as provided for in section 9.

R.S.S. 1978, c.C-3, s.8; R.S.S. 1978 (Supp.), c.4, s.5.

**Refunds**

9 Any person may claim a refund of deductions made under this Act from his cattle marketings for a calendar year by filing his claim with the minister on such form as may be prescribed by the minister not later than thirty-one days after the end of the calendar year for which the refund is being claimed and upon receipt and verification of the claim by the minister the refund shall be made to that person from the fund.

R.S.S. 1978, c.C-3, s.9; R.S.S. 1978 (Supp.), c.4, s.6.

**Inspectors**

10(1) Any inspectors, officers or employees that may be required for the administration of this Act may be appointed in accordance with *The Public Service Act*.

(2) Every member of the Royal Canadian Mounted Police is, by virtue of his position, an inspector under this Act and has the same powers and duties that are conferred or imposed on an inspector by this Act and the regulations.

(3) The Lieutenant Governor in Council may authorize any person employed by the Government of Saskatchewan or the Government of Canada to be *ex officio* an inspector under this Act.

R.S.S. 1978 (Supp.), c.4, s.7.

#### **Powers of inspector**

**10.1(1)** An inspector may, for the purposes of preventing or detecting the violation of any of the provisions of this Act or the regulations, without warrant:

- (a) enter and search any place other than a dwelling; and
  - (b) examine any document, book or record therein which he has reasonable grounds to believe is evidence of the violation.
- (2) No person who is in charge of any place or premises shall refuse or fail to admit an inspector demanding to enter pursuant to this section.
- (3) No person shall obstruct or attempt to obstruct an inspector in the exercise of any of the powers granted under this section.
- (4) An inspector may, without warrant, arrest any person found committing an offence under this Act or the regulations.
- (5) An inspector, in the exercise and discharge of his powers and duties under this Act and the regulations, is deemed to be a peace officer.

R.S.S. 1978 (Supp.), c.4, s.7.

#### **Penalty**

**11(1)** Every person who fails to comply with any of the provisions of this Act or the regulations or who knowingly makes a false statement in a return to the minister is guilty of an offence and liable on summary conviction to a fine not exceeding \$200 and in default of payment to imprisonment for a term not exceeding ninety days.

(2) Where the person convicted of an offence is a corporation a fine may be increased to an amount not exceeding \$500.

R.S.S. 1978, c.C-3, s.11.

#### **Cancellation of licences of persons who fail to comply with Act**

**12** Where a person is convicted of an offence under this Act, any licence held by him pursuant to any Act of the Legislature authorizing him to operate an abattoir, a packing plant or cannery, or to carry on business as a livestock dealer, may be cancelled by the minister.

R.S.S. 1978, c.C-3, s.12; R.S.S. 1978 (Supp.), c.4, s.8.

**Regulations**

**13** For the purpose of carrying out the provisions of this Act according to their intent, the Lieutenant Governor in Council may make regulations that are ancillary to and are not inconsistent with this Act, and every regulation made under this section has the force of law and, without restricting the generality of the foregoing, the Lieutenant Governor in Council may make regulations:

- (a) defining any word or expression used in this Act but not defined in this Act;
- (b) prescribing the amount to be deducted pursuant to section 3;
- (c) prescribing the rules and procedures and method of calling meetings and of giving notice of meetings to members of the committee;
- (d) authorizing and prescribing the amount of and manner in which commissions shall be paid to persons for collecting and remitting any moneys under this Act;
- (e) prescribing a schedule of payments to be made out of the fund to the members of the committee for committee business and to the Department of Agriculture for services provided by it in the administration of this Act;
- (f) prescribing the form of returns and the manner in which the returns and moneys collected by a livestock dealer or inspector shall be paid to the Minister of Finance;
- (g) respecting the administration of the fund;
- (h) prescribing the approved inspection points for the purposes of section 5;
- (i) prescribing the manner and form of any declaration required under this Act;
- (j) exempting any person or class of persons from the provisions of this Act or the regulations;
- (k) respecting any matter considered necessary or advisable to carry out the intent of this Act.

R.S.S. 1978 (Supp.), c.4, s.9.

**Treasury Board may make orders and directives**

**13.1** The Treasury Board may make orders and issue directives governing the accounting for the fund and, without limiting the generality of the foregoing, may make orders and issue directives:

- (a) governing the accounting for expenditures and revenues received;
- (b) governing the accounting records to be maintained in the management of the fund;
- (c) governing the manner in which the financial statement for the fund shall be prepared;
- (d) appointing an auditor of the fund.

R.S.S. 1978 (Supp.), c.4, s.9; 1983-84, c.34, s.4.

**Tabling of documents**

14(1) In each fiscal year, the committee, in accordance with *The Tabling of Documents Act, 1991*, shall prepare and submit to the minister a financial statement showing the business of the fund for the preceding fiscal year.

(2) The financial statement mentioned in subsection (1) is to be in the form required by Treasury Board.

(3) 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 (1).

(4) In this section, “**fiscal year**” means the period commencing on April 1 in one year and ending on March 31 in the following year.

1991, c.T-1.1, s.9.