

The 1985 Crop Drought Assistance Program Regulations

Repealed

by Saskatchewan Regulations 27/97 (effective April 23, 1997).

Formerly

Chapter D-8 Reg 4 (effective March 3, 1986)
as amended by Saskatchewan Regulations
38/86, 39/86 and 41/86.

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.

Table of Contents

1	Title
2	Interpretation
3	Assistance
4	Application
4.1	Alberta residents
5	Maximum payment
6	Payments based on yield
7	Spot-loss hail
8	Forage
9	Winterkill
11	Individual coverage
12	Overpayments

CHAPTER D-8 REG 4
The Department of Agriculture Act

Title

- 1 These regulations may be cited as *The 1985 Crop Drought Assistance Program Regulations*.

Interpretation

- 2 In these regulations:

- (a) **“adjusted coverage”** means coverage as determined after adjustment of the base coverage by the coverage adjustment factor as determined by the corporation pursuant to the contract of insurance;
- (b) **“base coverage”** means coverage as provided under a contract of insurance before adjustment by the coverage adjustment factor as determined by the corporation pursuant to the contract of insurance;
- (c) **“contract of insurance”** means the contract of insurance in Form A of the Appendix to *The Crop Insurance Regulations*;
- (d) **“corporation”** means the Saskatchewan Crop Insurance Corporation continued pursuant to *The Crop Insurance Act*;
- (e) **“crop”** means a crop that is insured pursuant to a contract of insurance with the corporation;
- (f) **“insured”** means an individual, corporation, co-operative or partnership that holds a contract of insurance with the corporation and:
 - (i) in the case of:
 - (A) an individual, is a permanent resident of Saskatchewan;
 - (B) a corporation, is incorporated, continued or registered pursuant to *The Business Corporations Act* and whose head office is in Saskatchewan;
 - (C) a co-operative, is incorporated, continued or registered pursuant to *The Co-operatives Act* and whose head office is in Saskatchewan;
 - (D) a partnership, is located in Saskatchewan; and
 - (ii) has filed an insurance claim with the corporation pursuant to a contract of insurance with respect to a crop harvested or intended to be harvested in 1985;
- (f.1) **“permanent resident”** means a person who holds a valid Saskatchewan Health Services Card;

(g) “**pre-harvest adjustment**” means an inspection by the corporation of an unharvested crop pursuant to a contract of insurance to determine potential production, using procedures prescribed by the corporation;

(h) “**Saskatchewan Health Services Card**” means a Saskatchewan Health Services Card issued for the current year for the purposes of *The Saskatchewan Hospitalization Act* or *The Saskatchewan Medical Care Insurance Act*.

14 Mar 86 cD-8 Reg 4 s2; 25 Apr 86 SR 38/86 s3.

Assistance

3 The minister may, in accordance with these regulations, provide financial assistance to any insured who meets the requirements of these regulations.

14 Mar 86 cD-8 Reg 4 s3.

Application

4 An insured who wishes to apply for financial assistance pursuant to these regulations shall:

- (a) submit his application on any form that the corporation may prescribe;
- (b) provide to the corporation any information in support of his application that the corporation may require; and
- (c) authorize access by the minister to information from the records of the Saskatchewan Hospital Services Plan for the purpose of verifying that he is a permanent resident.

14 Mar 86 cD-8 Reg 4 s4; 25 Apr 86 SR 38/86 s4.

Alberta residents

4.1 Notwithstanding clauses 2(f) and (f.1), an individual who is a permanent resident of Alberta but who:

- (a) holds a contract of insurance with the corporation; and
- (b) farms in Saskatchewan;

may apply for financial assistance pursuant to these regulations.

25 Apr 86 SR 39/86 s2.

Maximum payment

5 The aggregate of amounts payable to an insured with respect to any crop pursuant to these regulations and *The Crop Insurance Regulations* shall not exceed the total dollar coverage as determined by the greater of base coverage and adjusted coverage for that crop pursuant to his contract of insurance.

14 Mar 86 cD-8 Reg 4 s5.

Payments based on yield

6(1) Where an insured did not harvest more than the greater of base coverage or adjusted coverage as determined pursuant to the contract of insurance, he is entitled to payment calculated in accordance with this section.

(2) Where the insured's average yield per insurable acre, as determined by the corporation, is less than, in the case of:

- (a) hard red spring wheat, 137 kg;
- (b) durum wheat, 137 kg;
- (c) utility wheat, 147 kg;
- (d) soft white spring wheat, 147 kg;
- (e) winter wheat, 147 kg;
- (f) barley, 170 kg;
- (g) oats, 205 kgs;
- (h) spring rye, 156 kg;
- (i) fall rye, 156 kg;
- (j) flax, 58 kg;
- (k) canola, 58 kg;
- (l) mustard, 65 kg;
- (m) sunflowers, 65 kg;
- (n) field peas, 102 kg;
- (o) lentils, 46 kg;
- (p) fababeans, 127 kg; and
- (q) canary seed, 78 kg;

he is entitled to a payment for his actual total production as determined by the corporation based on the price option that he selected for the particular crop under the contract of insurance.

(3) Where:

- (a) an insured does not qualify for a payment pursuant to subsection (2); and
- (b) a pre-harvest adjustment report shows that the anticipated average yield per insurable acre in the case of certain acreage of a particular crop is less than the amount for that crop that appears in subsection (2);

the insured is entitled to payment for that appraised production based on the price option selected for the particular crop under the contract of insurance, provided that he grazed or cut for green feed the appraised acreage or harvested for seed any of the appraised acreage considered by the corporation to be harvestable.

Spot-loss hail

7 Where a spot-loss hail adjustment has been carried out pursuant to a contract of insurance and the base coverage is greater than the adjusted coverage, the insured is entitled to payment in the amount that is obtained when the difference between the adjusted coverage and the base coverage is multiplied by the percentage of damage determined by the spot-loss hail adjustment.

14 Mar 86 cD-8 Reg 4 s7.

Forage

8 An insured whose forage crops are insured by way of the forage crop insurance endorsement to the contract of insurance is entitled to payment based on the difference between final yields used to calculate forage indemnities pursuant to the contract of insurance and surveyed forage yields, as completed by the corporation, where surveyed forage yields are less.

14 Mar 86 cD-8 Reg 4 s8; 25 Apr 86 SR 38/86 s5.

Winterkill

9 Where an insured seeded winter wheat in the fall of 1984 with an implement that is satisfactory to the corporation, other than a discer, and that acreage suffered winterkill and was not eligible for a reseeding benefit pursuant to the contract of insurance, he is entitled:

- (a) with respect to acreage that was worked down and not reseeded, to be paid the full amount of the greater of base coverage and adjusted coverage per acre under the contract of insurance;
- (b) with respect to acreage which was reseeded but was ineligible for a reseeding benefit because of insufficient ground coverage, \$15 per acre;

less the premium that would have been payable by the insured for such coverage.

14 Mar 86 cD-8 Reg 4 s9.

10 Repealed. 9 May 86 SR 41/86 s2.

Individual coverage

11 For the purposes of sections 6 and 7, the entitlement of an insured whose contract of insurance is based on the individual coverage option is to be calculated using the greater of base coverage or adjusted coverage in those years where the adjusted area average yield was used to determine the coverage for the particular crop pursuant to the contract of insurance.

14 Mar 86 cD-8 Reg 4 s11.

Overpayments

12 Where an overpayment pursuant to these regulations occurs for any reason, the overpayment is deemed to be a debt due to Her Majesty in right of Saskatchewan and may be recovered, in addition to any other manner in which it may be recovered, by deducting the amount of the overpayment from any other payments, grants or allowances to which the insured is entitled pursuant to any other program of the Government of Saskatchewan providing for payments to that insured.

14 Mar 86 cD-8 Reg 4 s12.