

# *The Grain Charges Limitation Act*

*being*

Chapter 205 of *The Revised Statutes of Saskatchewan, 1940*  
(effective February 1, 1941).

- 1 Short title
- 2 Limitation of charges

FOR HISTORICAL REFERENCE ONLY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.

## CHAPTER 205

### An Act limiting Charges on Grain delivered to Elevators

#### Short title

- 1 This Act may be cited as *The Grain Charges Limitation Act*.

1940, c.85, s.1; R.S.S. 1940, c.205, s.1.

#### 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, a rural municipality or the Minister of Municipal Affairs on behalf of a local improvement district;
- (b) charges arising under *The Seed Grain Advances Act*, chapter 194 of these *Revised Statutes*, or section 33 of *The 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 contained in subsection (1) shall affect 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) In this Act “**charge**” includes:

- (a) liens and encumbrances of every kind and description whether created by contract, statute or otherwise and whether created before or after this Act comes into force;
- (b) orders affecting and assignments of grain or the proceeds thereof whether made before or after this Act comes into force;

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

1940, c.85, s.2; R.S.S. 1940, c.205, s.2.