

The Cattle Marketing Voluntary Deductions Act

being

Chapter C-3 of *The Revised Statutes of Saskatchewan, 1978*
(effective February 26, 1979).

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 Voluntary Deductions made from the Marketing of Cattle

Short title

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

R.S.S. 1978, c.C-3, s.1.

Interpretation

2 In this Act:

“board”

(a) “**board**” means The Cattle Marketing Voluntary Deductions Act Board established pursuant to section 7;

“cattle”

(b) “**cattle**” means any animal of the bovine species;

“dealer”

(c) “**dealer**” means:

(i) a person who is the owner or operator of an abattoir, packing plant or cannery;

(ii) a cattle buyer, drover or other person who is engaged in the business of dealing in cattle either on his own account or for a commission;

and includes the agent of any such person;

“inspector”

(d) “**inspector**” means a person appointed by the minister pursuant to section 10;

“minister”

(e) “**minister**” means the Minister of Agriculture;

“owner of cattle”

(f) “**owner of cattle**” means a person having one or more head of cattle in his possession or under his charge;

“trust account”

(g) “**trust account**” means the trust account established under the provisions of this Act.

1970, c.7, s.2; R.S.S. 1978, c.C-3, s.2.

Deduction to be made by dealer

3 Every dealer who purchases cattle shall deduct from the purchase price of each head of cattle purchased such sum of money as may be specified in the regulations but in no case shall the deduction exceed fifteen cents per head.

1970, c.7, s.3; R.S.S. 1978, c.C-3, s.3.

Returns and remittance by dealer

4 Every dealer shall, not later than the tenth day of every month, make or cause to be made a return to the minister, in such form as the minister may prescribe, setting out the total number of cattle purchased by him during the immediately preceding month and shall remit to the minister together with the return the amount of money deducted by him pursuant to section 3.

1970, c.7, s.4; R.S.S. 1978, c.C-3, s.4.

Prohibition

5(1) No owner of cattle shall, by himself or his agent, ship or drive on foot his cattle to any point outside the province except to Winnipeg or Brandon in Manitoba, or through Cereal, Empress, Provost, Walsh or Edmonton, in Alberta, unless before doing so he has remitted to the minister the amount provided for under section 3 for each head of cattle shipped or driven.

(2) Every owner of cattle who delivers cattle to places in Alberta or Manitoba mentioned in subsection (1) shall pay to the livestock inspector at the place of market the sum provided for under section 3 for each head of cattle sold or in lieu thereof the owner shall instruct the purchaser of his cattle to deduct from payment for each head of cattle the sum specified under section 3 and forward this amount to the minister in accordance with the provisions of section 4.

(3) Subsection (1) does not apply where a dealer has made a deduction in accordance with this Act in respect of cattle shipped or driven within the meaning of subsection (1).

1970, c.7, s.5; R.S.S. 1978, c.C-3, s.5.

Disposal of moneys in trust account

6(1) All moneys received by the minister pursuant to sections 4 and 5 shall be paid over to the Minister of Finance and shall be kept by him in a special trust account and such account, together with any income accruing therefrom, shall, subject to the approval of the minister, be used for:

- (a) the refund of deductions as provided for in section 9;
- (b) discharging expenses incurred in the administration of this Act and expenses incurred by the board; and
- (c) such other expenses as may be deemed necessary by the board for the development and improvement of the cattle industry.

(2) For the purpose of clause (c) of subsection (1), "development and improvement of the cattle industry" includes:

- (a) the improvement of cattle;
- (b) the reduction of losses of cattle caused by disease, insects or parasites;
- (c) better means or methods of managing, handling, housing, pasturing and feeding of cattle by the owners of cattle and dealers;
- (d) the extension or expansion of markets for cattle and beef;
- (e) the reduction of costs or losses incurred in the rearing, feeding or marketing of cattle;
- (f) reasonable support for any national organization that has as its object any of the purposes mentioned in clauses (a) to (e).

1970, c.7, s.6; 1972, c.12, s.2; R.S.S. 1978, c.C-3, s.6.

Establishment of board

7(1) The minister shall appoint a board to be known as The Cattle Marketing Voluntary Deductions Act Board consisting of:

- (a) two representatives nominated by the Saskatchewan Stock Growers' Association;
 - (b) one representative nominated by the Saskatchewan Federation of Agriculture;
 - (c) one representative nominated by the Saskatchewan Cattle Breeders' Association; and
 - (d) two other persons one of whom shall represent consumers in the province and who shall be appointed by the minister after the minister has consulted with a recognized organization of consumers in the province.
- (2) At the first meeting of the board and annually thereafter the board shall elect a chairman from among its members.
- (3) The board shall meet at such times and such intervals as are prescribed by the regulations.

1970, c.7, s.7; 1972, c.12, s.3; R.S.S. 1978, c.C-3, s.7.

Trust account administration

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

1970, c.7, s.8; R.S.S. 1978, c.C-3, s.8.

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 trust account.

1970, c.7, s.9; R.S.S. 1978, c.C-3, s.9.

Inspectors

10(1) The minister may appoint inspectors for carrying out and enforcing the provisions of this Act and every inspector has the powers of a constable.

(2) Every member of the Royal Canadian Mounted Police and every inspector under *The Brand and Brand Inspection Act* is, *ex officio*, an inspector under this Act.

1970, c.7, s.10; R.S.S. 1978, c.C-3, s.10.

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.

1970, c.7, s.11; 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 cattle dealer, may be cancelled by the issuer thereof.

1970, c.7, s.12; R.S.S. 1978, c.C-3, s.12.

Regulations

13 For the purpose of carrying out the provisions of this Act according to their intent, the Lieutenant Governor in Council may make such regulations as are ancillary thereto and are not inconsistent therewith; and every regulation made under and in accordance with the authority granted by this section has the force of law; and without restricting the generality of the foregoing, the Lieutenant Governor in Council may make regulations not inconsistent with any other provision of this Act:

- (a) subject to section 3, prescribing the amount to be deducted in respect of each head of cattle marketed;
- (b) prescribing the minimum number of meetings to be held by the board and the earliest and the latest dates when each of those meetings shall be held;
- (c) prescribing the amount, if any, and the method of making payment to dealers for making and remitting deductions under this Act;
- (d) prescribing a schedule of payments to be made out of the trust account to the Department of Agriculture for services provided by it in the administration of this Act.

1970, c.7, s.13; R.S.S. 1978, c.C-3, s.13.