

The 2011 Saskatchewan Feed and Forage Program Regulations

being

Chapter F-8.001 Reg 46 (effective September 29, 2011;
expires December 31, 2014).

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 F-8.001 REG 46
The Farm Financial Stability Act

Title

- 1** These regulations may be cited as *The 2011 Saskatchewan Feed and Forage Program Regulations*.

Interpretation

- 2** In these regulations:

- (a) **“account”** means the Saskatchewan Feed and Forage Program Account continued pursuant to section 4;
- (b) **“Act”** means *The Farm Financial Stability Act*;
- (c) **“applicant”** means:
 - (i) a livestock producer who applies for a feed shortfall support payment, a transportation support payment or a pasture rental support payment; or
 - (ii) a forage producer who applies for a re-seeding support payment;
- (d) **“application”** means:
 - (i) with respect to a feed shortfall support payment, an application made pursuant to section 8;
 - (ii) with respect to a re-seeding support payment, an application made pursuant to section 11;
 - (iii) with respect to a transportation support payment, an application made pursuant to section 15; and
 - (iv) with respect to a pasture rental support payment, an application made pursuant to section 19;
- (e) **“associate”** means an associate within the meaning of *The Business Corporations Act*;
- (f) **“breeder association”** means:
 - (i) a bison breeder association within the meaning of *The Bison Breeder Associations Loan Guarantee Regulations*;
 - (ii) a cattle breeder association within the meaning of *The Cattle Breeder Associations Loan Guarantee Regulations, 1991*; or
 - (iii) a sheep breeder association within the meaning of *The Sheep Breeder Associations Loan Guarantee Regulations*;
- (g) **“concentrated feedstuffs”** means feed grain, pelleted screenings, distiller’s grain solubles, canola meal, soybean meal and complete feed rations;
- (h) **“custom feeder”** means a person that grows or finishes livestock on a fee-for-service basis;

- (i) **“disaster assistance”** means disaster assistance as defined in *The Provincial Disaster Assistance Program Regulations, 2011*;
- (j) **“eligible applicant”** means:
 - (i) with respect to a feed shortfall support payment, an eligible applicant as described in section 7;
 - (ii) with respect to a re-seeding support payment, an eligible applicant as described in section 10;
 - (iii) with respect to a transportation support payment, an eligible applicant as described in section 14; and
 - (iv) with respect to a pasture rental support payment, an eligible applicant as described in section 18;
- (k) **“eligible feed”** means concentrated feedstuffs, forage or straw;
- (l) **“eligible forage land”** means land located in Saskatchewan that is used as a perennial tame or native feed source for livestock or forage seed production;
- (m) **“eligible pasture land”** means land that was negatively affected by excess moisture in 2011 resulting in lost grazing capacity;
- (n) **“feed”** means any concentrated feedstuffs, forage or straw;
- (o) **“feed shortfall support payment”** means a feed shortfall support payment calculated pursuant to section 9;
- (p) **“feeder association”** means:
 - (i) a bison feeder association within the meaning of *The Bison Feeder Associations Loan Guarantee Regulations*;
 - (ii) a cattle feeder association within the meaning of *The Cattle Feeder Associations Loan Guarantee Regulations, 1989*; or
 - (iii) a sheep feeder association within the meaning of *The Sheep Feeder Associations Loan Guarantee Regulations*;
- (q) **“forage”** means hay, silage and greenfeed;
- (r) **“forage producer”** means:
 - (i) an individual who:
 - (A) is the owner or lessee of eligible forage land;
 - (B) is 18 years of age or older; and
 - (C) either:
 - (I) resides in Saskatchewan and can provide evidence satisfactory to the minister of the individual’s Saskatchewan residence; or
 - (II) in the minister’s opinion, carries on farming operations in Saskatchewan;

- (ii) a corporation, a co-operative, a partnership or a communal organization that:
 - (A) is the owner or lessee of eligible forage land; and
 - (B) in the minister's opinion, carries on farming operations in Saskatchewan; or
- (iii) an Indian Band:
 - (A) whose reserve land is in Saskatchewan; and
 - (B) that uses a portion of its reserve land as eligible forage land;
- (s) **"Indian band"** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (t) **"livestock producer"** means:
 - (i) an individual who:
 - (A) is 18 years of age or older;
 - (B) either:
 - (I) resides in Saskatchewan and can provide evidence satisfactory to the minister of the individual's Saskatchewan residence; or
 - (II) in the minister's opinion, carries on livestock operations in Saskatchewan; and
 - (C) is the owner of the eligible livestock that are the subject of an application;
 - (ii) a corporation, a co-operative, a partnership or a communal organization that:
 - (A) in the minister's opinion, carries on livestock operations in Saskatchewan; and
 - (B) is the owner of the eligible livestock that are the subject of an application; or
 - (iii) an Indian band:
 - (A) whose reserve land is in Saskatchewan; and
 - (B) that is the owner of the eligible livestock that are the subject of an application;
- (u) **"owner"**, with respect to eligible livestock as defined in sections 6, 13 and 17, means a person who is:
 - (i) the owner of eligible livestock;
 - (ii) the lessee of eligible livestock;
 - (iii) a member of a breeder association who has a breeder contract with the breeder association with respect to eligible livestock;
 - (iv) a member of a feeder association who has a feeder contract with the feeder association with respect to eligible livestock; or
 - (v) a custom feeder with respect to the eligible livestock;

- (v) **“pasture rental support payment”** means a pasture rental support payment calculated pursuant to section 20;
- (w) **“person”** includes a partnership, a communal organization and an Indian band;
- (x) **“program”** means the 2011 Saskatchewan Feed and Forage Program established pursuant to section 3;
- (y) **“re-seeding support payment”** means a re-seeding support payment calculated pursuant to section 12;
- (z) **“reserve land”** means reserve land within the meaning of the *Indian Act* (Canada);
- (aa) **“straw”** means crop residue used as a feed source or as bedding for eligible livestock;
- (bb) **“support payment”** includes feed shortfall support payments, re-seeding support payments, transportation support payments and pasture rental support payments;
- (cc) **“transportation support payment”** means a transportation support payment calculated pursuant to section 16.

7 Oct 2011 cF-8.001 Reg 46 s2.

PART II

2011 Saskatchewan Feed and Forage Program

Program established

- 3(1) The 2011 Saskatchewan Feed and Forage Program is established.
- (2) The purpose of the program is to provide financial assistance to producers:
 - (a) who experienced a shortage of winter feed for eligible livestock, as defined in section 6, as a result of the negative effect excess moisture had on 2011 forage production;
 - (b) who re-seeded perennial forage land during the period set out in clause 10(2)(c) as a result of excess moisture in 2010 or 2011;
 - (c) who transported eligible livestock, as defined in section 13, or eligible feed during the period commencing on April 1, 2011 and ending on March 31, 2012 due to a feed shortfall as a result of excessive moisture; and
 - (d) who rented or leased additional pasture land or purchased feed during the period commencing on April 1, 2011 and ending on November 30, 2011 as a result of the negative effect excess moisture had in 2011 on eligible pasture land that resulted in lost grazing capacity.

7 Oct 2011 cF-8.001 Reg 46 s3.

Account established

4(1) The Saskatchewan Feed and Forage Program Account in the fund that was established pursuant to *The Saskatchewan Feed and Forage Program Regulations* is continued for the purpose of administering the program pursuant to clause 24(2)(a) of the Act in addition to administering the program established pursuant to *The Saskatchewan Feed and Forage Program Regulations*.

(2) The Minister of Finance is authorized to deposit into the account:

- (a) all contributions from the Government of Canada that are directed to the account for the purposes of the program pursuant to an agreement made pursuant to subsection 22(2) of the Act; and
- (b) from moneys appropriated by the Legislature, all contributions of the Government of Saskatchewan to the program pursuant to an agreement made pursuant to subsection 22(2) of the Act.

(3) The account consists of:

- (a) all contributions mentioned in clause (2)(a);
- (b) all moneys appropriated by the Legislature:
 - (i) for the purposes of the program; or
 - (ii) for any other farm income stabilization purpose, if the Minister of Finance designates that those moneys are to be paid into the account;
- (c) all earnings on investments of the account; and
- (d) all other moneys received in the account for the purposes of the program or *The Saskatchewan Feed and Forage Program Regulations*.

(4) All support payments are to be paid from the account.

(5) Any surplus remaining in the account when the program is completed is to be returned to the Government of Canada and the Government of Saskatchewan in proportion to each government's contribution to the account.

(6) The fiscal year of the account is the period commencing on April 1 in one year and ending on March 31 of the following year.

7 Oct 2011 cF-8.001 Reg 46 s4.

Minister to administer account and program

5(1) The minister shall administer the account and the program.

(2) For the purpose of administering the account and the program, the minister may:

- (a) exercise the powers given pursuant to the Act; and
- (b) do any other thing that the minister considers necessary to administer the account or the program.

(3) Without limiting the generality of subsection (2), for the purpose of administering the account or the program, the minister may:

- (a) enter into any agreement that the minister considers advisable with any person, agency, organization, association, institution or body;
- (b) undertake research, conduct studies and provide information to agricultural producers in relation to the program;
- (c) use any moneys received in the account:
 - (i) to pay for the administration of the account and the program; and
 - (ii) to make support payments;
- (d) invest any moneys in the account that are not presently required for the purposes of the program in any investments that are authorized pursuant to *The Financial Administration Act, 1993* as investments for the general revenue fund; and
- (e) dispose of any investment made pursuant to clause (d), subject to the terms of the investment, in any manner, on any terms and in any amount that the minister considers advisable.

7 Oct 2011 cF-8.001 Reg 46 s5.

PART III Support Payments

DIVISION 1 Feed Shortfall

Interpretation of Division

6 In this Division, “**eligible livestock**” means females and males of any of the following species of livestock that are of breeding age and used for breeding purposes in the applicant’s herd:

- (a) beef cattle;
- (b) dairy cattle;
- (c) bison;
- (d) domestic game farm animals, as defined in *The Domestic Game Farm Animal Regulations*;
- (e) sheep;
- (f) goats;
- (g) horses;
- (h) alpacas;
- (i) llamas.

7 Oct 2011 cF-8.001 Reg 46 s6.

Eligible applicant

7(1) Subject to section 21 and subsection (2), a person is eligible to apply for a feed shortfall support payment if:

- (a) the person is a livestock producer;
 - (b) the person was the owner of eligible livestock as of October 1, 2011;
 - (c) the person's forage production was negatively affected by excessive moisture in 2011;
 - (d) the person purchased eligible feed for the eligible livestock during the period commencing on June 1, 2011 and ending on March 31, 2012; and
 - (e) in the case of an individual, partnership, communal organization or corporation, the individual, each partner of the partnership, the communal organization or the corporation filed or will file an income tax return respecting farm income from livestock operations in Saskatchewan for the year preceding the year for which an application is made, or for the year for which an application is made.
- (2) No person who received disaster assistance is eligible to apply for a feed shortfall support payment with respect to the same expenditures.

7 Oct 2011 cF-8.001 Reg 46 s7.

Application for payment

8(1) An eligible applicant who intends to obtain a feed shortfall support payment shall apply to the minister on an application form supplied by the minister.

(2) On an application, the applicant shall:

- (a) specify the type and number of eligible livestock with respect to which the application is made;
- (b) declare that the applicant was the owner of the eligible livestock as of October 1, 2011;
- (c) provide details respecting the applicant's normal feed sources, the applicant's average annual feed production and average annual feed purchases with respect to the eligible livestock;
- (d) specify the number of acres of land that is normally used to produce eligible feed and the type of eligible feed normally produced on those acres of land;
- (e) specify the type and total amount of eligible feed produced in 2011;
- (f) specify the rural municipality in which the land mentioned in clause (d) is located;

- (g) provide the following details with respect to all eligible feed that was purchased during the period commencing on June 1, 2011 and ending on March 31, 2012:
- (i) the type of feed that was purchased;
 - (ii) the total weight, in imperial tons, of each type of feed that was purchased;
 - (iii) the purchase price for each type of feed;
 - (iv) the date on which each type of feed was purchased;
- (h) provide any details that the minister may require to determine that the feed with respect to which the application is made is eligible feed;
- (i) declare that no other application for a support payment has been made or is to be made by the applicant respecting the same expenditures; and
- (j) provide the minister with any additional information that the minister may reasonably require to determine the applicant's eligibility for a feed shortfall support payment or the amount of the applicant's feed shortfall support payment.
- (3) If an applicant is a corporation, a co-operative, a partnership, a communal organization or an Indian band, the minister may, for the purposes of verifying residency and compliance with these regulations, require the applicant to provide the names of the shareholders, partners, members or other persons, as the case may be, who are associates of the applicant.

7 Oct 2011 cF-8.001 Reg 46 s8.

Calculation of feed shortfall support payment

9(1) In this section:

- (a) **“forage shortfall”** means the decline in an eligible applicant's production of forage in 2011, due to excessive moisture in 2011, relative to the forage required for the 2011-2012 normal overwintering forage consumption of the eligible livestock;
 - (b) **“normal overwintering forage consumption”** means the amount of forage necessary to maintain a healthy animal named in clauses 6(a) to (i) for 210 days of winter feeding as determined by the minister.
- (2) The feed shortfall support payment that may be paid to an eligible applicant is the amount P calculated in accordance with the following formula:

$$P = (FS - PD) \times R$$

where:

FS is the forage shortfall, in imperial tons, as determined by the minister in accordance with subsection (3), which amount must not exceed the normal overwintering forage consumption of the eligible livestock;

PD is 10% of the normal overwintering forage consumption, in imperial tons, for the eligible livestock; and

R is the cost per imperial ton of the eligible feed purchased during the period commencing on June 1, 2011 and ending on March 31, 2012, to a maximum amount of \$12 per imperial ton of eligible feed.

(3) In determining the forage shortfall with respect to an eligible applicant, the minister shall consider the following:

- (a) the normal overwintering forage consumption for the eligible livestock;
- (b) the amount of eligible feed produced by the applicant in 2011;
- (c) any other factors that the minister considers necessary or appropriate in the circumstances.

7 Oct 2011 cF-8.001 Reg 46 s9.

DIVISION 2 Re-seeding

Eligible applicant

10(1) In this section, “**excess moisture support payment**” means a support payment as defined in *The Excess Moisture Program Regulations* or *The Excess Moisture Program Regulations, 2011*.

(2) Subject to section 21 and subsection (3), a person is eligible to apply for a re-seeding support payment if:

- (a) the person is a forage producer;
- (b) the forage producer’s eligible forage land was re-seeded due to excessive moisture;
- (c) the forage producer re-seeded the eligible forage land to perennial forage during the period commencing on June 1, 2010 and ending on October 31, 2012; and
- (d) in the case of an individual, partnership, communal organization or corporation, the individual, each partner of the partnership, the communal organization or the corporation filed or will file an income tax return respecting farm income in Saskatchewan for the year preceding the year for which an application is made, or for the year for which an application is made.

(3) No person who received an excess moisture support payment is eligible to apply for a re-seeding support payment with respect to the same land.

7 Oct 2011 cF-8.001 Reg 46 s10.

Application for payment

11(1) An eligible applicant who intends to obtain a re-seeding support payment shall apply to the minister on an application form supplied by the minister.

(2) On an application, the applicant shall:

- (a) for all eligible forage land:
 - (i) set out the legal land description;
 - (ii) specify the total number of acres of eligible forage land for each parcel listed for the purposes of subclause (i);

- (iii) specify the rural municipality in which the land mentioned in subclause (i) is located; and
 - (iv) specify the number of acres re-seeded to perennial forage during the period set out in clause 10(2)(c), including the date of the re-seeding;
 - (b) provide any details that the minister may require to determine that the land with respect to which the application is made is eligible forage land;
 - (c) declare that no other application for a re-seeding support payment has been made or is to be made by the applicant respecting the same expenditures; and
 - (d) provide the minister with any additional information that the minister may reasonably require to determine the applicant's eligibility for a re-seeding support payment or the amount of the applicant's re-seeding support payment.
- (3) If an applicant is a corporation, a co-operative, a partnership, a communal organization or an Indian band, the minister may, for the purposes of verifying residency and compliance with these regulations, require the applicant to provide the names of the shareholders, partners, members or other persons, as the case may be, who are associates of the applicant.

7 Oct 2011 cF-8.001 Reg 46 s11.

Calculation of re-seeding support payment

12 The re-seeding support payment that may be paid to an eligible applicant is the amount P calculated in accordance with the following formula:

$$P = A \times \$12$$

where A is the number of acres of eligible forage land re-seeded to perennial forage during the period set out in clause 10(2)(c).

7 Oct 2011 cF-8.001 Reg 46 s12.

DIVISION 3

Feed Transportation and Livestock Transportation

Interpretation of Division

13 In this Division, “**eligible livestock**” means any animal of the following species of livestock:

- (a) beef cattle;
- (b) dairy cattle;
- (c) bison;
- (d) domestic game farm animals, as defined in *The Domestic Game Farm Animal Regulations*;
- (e) sheep;
- (f) goats;
- (g) horses;
- (h) alpacas;
- (i) llamas.

7 Oct 2011 cF-8.001 Reg 46 s13.

Eligible applicant

14(1) Subject to section 21 and subsection (2), a person is eligible to apply for a transportation support payment if:

- (a) the person is a livestock producer;
 - (b) the person is the owner of eligible livestock as of the date of transport set out in subclause 15(2)(b)(ii);
 - (c) the person's forage production was negatively affected by excessive moisture;
 - (d) the person transported eligible feed or eligible livestock during the period commencing on April 1, 2011 and ending on March 31, 2012; and
 - (e) in the case of an individual, partnership, communal organization or corporation, the individual, each partner of the partnership, the communal organization or the corporation filed or will file an income tax return respecting farm income from livestock operations in Saskatchewan for the year preceding the year for which an application is made, or for the year for which an application is made.
- (2) No person is eligible to apply for a transportation support payment unless that person has first applied for disaster assistance pursuant to *The Provincial Disaster Assistance Program Regulations, 2011*.
- (3) If a person has received disaster assistance after applying pursuant to subsection (2), that person is not eligible to apply for a transportation payment with respect to the same expenditures.

7 Oct 2011 cF-8.001 Reg 46 s14.

Application for payment

15(1) An eligible applicant who intends to obtain a transportation support payment shall apply to the minister on an application form supplied by the minister.

- (2) On an application, the applicant shall:
- (a) declare that the applicant was the owner of the eligible livestock as of the date of transport set out in subclause (b)(ii);
 - (b) provide the following details with respect to all eligible feed or eligible livestock that were transported during the period commencing on April 1, 2011 and ending on March 31, 2012:
 - (i) the type of feed or livestock that was transported;
 - (ii) the date on which the transportation took place;
 - (c) verify that the applicant has attached an invoice, receipt or other documentation respecting the cost of the transportation that:
 - (i) is satisfactory to the minister;
 - (ii) is issued to the eligible applicant as purchaser; and
 - (iii) is dated on or after April 1, 2011, but before April 1, 2012;
 - (d) provide any details that the minister may require to determine that the feed or livestock with respect to which the application is made is eligible feed or eligible livestock, as the case may be;

- (e) declare that no other application for a transportation support payment has been made or is to be made by the applicant respecting the same expenditures; and
 - (f) provide the minister with any additional information that the minister may reasonably require to determine the applicant's eligibility for a transportation support payment or the amount of the applicant's transportation support payment.
- (3) If an applicant is a corporation, a co-operative, a partnership, a communal organization or an Indian band, the minister may, for the purposes of verifying residency and compliance with these regulations, require the applicant to provide the names of the shareholders, partners, members or other persons, as the case may be, who are associates of the applicant.

7 Oct 2011 cF-8.001 Reg 46 s15.

Calculation of transportation support payment

16 The transportation support payment that may be paid to an eligible applicant for the transportation of eligible feed or eligible livestock is the amount P calculated in accordance with the following formula:

$$P = C \times 95\%$$

where C is the cost of the transportation paid during the period commencing on April 1, 2011 and ending on March 31, 2012, as evidenced by the documents submitted pursuant to clause 15(2)(c).

7 Oct 2011 cF-8.001 Reg 46 s16.

DIVISION 4 Pasture Rental

Interpretation of Division

17 In this Division, “**eligible livestock**” means any animal of the following species of livestock:

- (a) beef cattle;
- (b) dairy cattle;
- (c) bison;
- (d) domestic game farm animals, as defined in *The Domestic Game Farm Animal Regulations*;
- (e) sheep;
- (f) goats;
- (g) horses;
- (h) alpacas;
- (i) llamas.

7 Oct 2011 cF-8.001 Reg 46 s17.

Eligible applicant

18(1) Subject to section 21 and subsection (2), a person is eligible to apply for a pasture rental support payment if:

- (a) the person is a livestock producer;
 - (b) the person is the owner of eligible livestock as of April 1, 2011;
 - (c) the person:
 - (i) owns eligible pasture land as of April 1, 2011; or
 - (ii) leases eligible pasture land as of April 1, 2011, and payment under that lease is required whether or not the eligible pasture land has been used by the lessee;
 - (d) the person's eligible pasture land was negatively affected by moisture in 2011;
 - (e) the person either:
 - (i) rented or leased alternative pasture land for grazing eligible livestock during the period commencing on April 1, 2011 and ending on November 30, 2011; or
 - (ii) purchased feed for eligible livestock to replace the lost grazing capacity of the eligible pasture land during the period commencing on April 1, 2011 and ending on November 30, 2011; and
 - (f) in the case of an individual, partnership, communal organization or corporation, the individual, each partner of the partnership, the communal organization or the corporation filed or will file an income tax return respecting farm income from livestock operations in Saskatchewan for the year preceding the year for which an application is made, or for the year for which an application is made.
- (2) No person is eligible to apply for a pasture rental support payment unless that person has first applied for disaster assistance pursuant to *The Provincial Disaster Assistance Program Regulations, 2011*.
- (3) If a person has received disaster assistance after applying pursuant to subsection (2), that person is not eligible to apply for a pasture rental payment with respect to the same expenditures.

7 Oct 2011 cF-8.001 Reg 46 s18.

Application for payment

19(1) An eligible applicant who intends to obtain a pasture rental support payment shall apply to the minister on an application form supplied by the minister.

- (2) On an application, the applicant shall:
- (a) specify the type of eligible livestock with respect to which the application is made;
 - (b) declare that the applicant was the owner of the eligible livestock as of April 1, 2011;

- (c) declare that the applicant was the owner or lessee of eligible pasture land as of April 1, 2011;
 - (d) set out the legal land description for all eligible pasture land;
 - (e) in the case of alternative pasture land that was rented or leased during the period commencing on April 1, 2011 and ending on November 30, 2011, provide the following details:
 - (i) the legal land description of the alternative pasture land that was rented or leased;
 - (ii) the total cost of renting or leasing the alternative pasture land;
 - (f) in the case of feed that was purchased during the period commencing on April 1, 2011 and ending on November 30, 2011, specify:
 - (i) the total weight, in imperial tons, of each type of feed that was purchased; and
 - (ii) the total cost of each type of feed that was purchased;
 - (g) verify that the applicant has attached an invoice, receipt or other documentation respecting the cost of the alternative pasture land that was rented or leased, or the cost of the feed that was purchased, that:
 - (i) is satisfactory to the minister;
 - (ii) is issued to the eligible applicant as purchaser; and
 - (iii) is dated on or after April 1, 2011, but before December 1, 2011;
 - (h) provide any details that the minister may require to determine that the pasture land or livestock with respect to which the application is made is eligible pasture land or eligible livestock, as the case may be;
 - (i) declare that no other application for a pasture rental support payment has been made or is to be made by the applicant respecting the same expenditures; and
 - (j) provide the minister with any additional information that the minister may reasonably require to determine the applicant's eligibility for a pasture rental support payment or the amount of the applicant's pasture rental support payment.
- (3) If an applicant is a corporation, a co-operative, a partnership, a communal organization or an Indian band, the minister may, for the purposes of verifying residency and compliance with these regulations, require the applicant to provide the names of the shareholders, partners, members or other persons, as the case may be, who are associates of the applicant.

Calculation of pasture rental support payment

20(1) The pasture rental support payment that may be paid to an eligible applicant for the rental or lease of alternative pasture land is the amount P calculated in accordance with the following formula:

$$P = C \times 95\%$$

where C is the cost of the rent for the alternative pasture land paid during the period commencing on April 1, 2011 and ending on November 30, 2011, as supported by the documents submitted pursuant to clause 19(2)(g).

(2) The pasture rental support payment that may be paid to an eligible applicant for the purchase of eligible feed is the amount P calculated in accordance with the following formula:

$$P = C \times N$$

where:

C is the cost per imperial ton of the eligible feed purchased during the period commencing on April 1, 2011 and ending on November 30, 2011, to a maximum amount of \$12 per imperial ton of eligible feed, as evidenced by the documents submitted pursuant to clause 19(2)(g); and

N is the number of imperial tons of eligible feed purchased during the period commencing on April 1, 2011 and ending on November 30, 2011.

7 Oct 2011 cF-8.001 Reg 46 s20.

DIVISION 5
General

Ineligible applicants

21 Notwithstanding sections 7, 10, 14 and 18:

- (a) no person who received financial assistance from the government of any other province or territory of Canada is eligible to apply for:
 - (i) a feed shortfall support payment, a transportation support payment or a pasture rental support payment with respect to the same expenditures; or
 - (ii) a re-seeding support payment with respect to the same land;
- (b) no agency of the Government of Saskatchewan or Government of Canada is eligible to apply for a support payment; and
- (c) no person who owns or operates a research station that is funded in whole or in part by a government mentioned in clause (b) is eligible to apply for a support payment.

7 Oct 2011 cF-8.001 Reg 46 s21.

Application deadline

22(1) In this section, “**application deadline date**” means:

- (a) with respect to a feed shortfall support payment or a transportation support payment, April 30, 2012;
 - (b) with respect to a re-seeding support payment, November 30, 2012; and
 - (c) with respect to a pasture rental support payment, December 31, 2011.
- (2) Subject to subsections (3) and (4), an application must be received by the minister or, in the case of an application that is mailed, be postmarked on or before the application deadline date.
- (3) An application that is postmarked on or before the application deadline date is deemed to have been received by the minister on or before the application deadline date.
- (4) The minister may accept an application that is received after the application deadline date if the minister is satisfied that:
- (a) extenuating circumstances exist making it unreasonable or impossible for the application to have been received on or before that date; and
 - (b) it is not contrary to the public interest to do so.

7 Oct 2011 cF-8.001 Reg 46 s22.

Approval of application

- 23(1)** If the minister is satisfied that an applicant meets the requirements set out in these regulations and has complied with the regulations, the minister may approve payment of a support payment to that applicant.
- (2) If an eligible applicant fails to comply with these regulations, the minister may deny the application for a support payment.
- (3) If the minister denies an application for a support payment, the minister shall notify the applicant in writing.

7 Oct 2011 cF-8.001 Reg 46 s23.

Duplicate applications

- 24(1)** Not more than one support payment is to be made with respect to the same expenditures.
- (2) If the minister receives more than one application for the same expenditures, the minister shall determine which application, if any, to accept.

7 Oct 2011 cF-8.001 Reg 46 s24.

PART IV
General

Conditions of program

25(1) As a condition of participating in the program and receiving a support payment, an applicant shall:

- (a) grant access, at any reasonable time, to land on which the applicant conducts the applicant's farming operations to any persons designated by the minister to verify information required to substantiate the applicant's eligibility or the amount of a support payment that may be paid to the applicant or to verify the applicant's compliance with these regulations;
 - (b) consent to any other person, agency, organization, association, institution or body releasing information to the minister respecting the applicant's farming operations; and
 - (c) provide to the minister, on the minister's request and within the period set by the minister, the applicant's income tax records for one or more years, or any other information that the minister may require, to verify the applicant's eligibility or the amount of a support payment that may be paid to the applicant or to verify the applicant's compliance with these regulations.
- (2) No applicant shall fail to comply with any condition set out in subsection (1).
- (3) No person shall supply any false or misleading information to the minister on any application or in response to any request for information from the minister.

7 Oct 2011 cF-8.001 Reg 46 s25.

Overpayments

26(1) The minister may declare all or any portion of a support payment made to an eligible applicant to be an overpayment if the minister is satisfied that:

- (a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;
 - (b) the applicant has knowingly omitted to make a statement or to provide any information or document if the omission results in a statement with respect to a material fact being misleading; or
 - (c) the applicant has failed to comply with these regulations.
- (2) If the minister declares all or any portion of a support payment to be an overpayment, the eligible applicant shall pay interest on the amount of the support payment that is declared to be an overpayment commencing on the 30th day after the date of the declaration at the rate equal to the sum of:
- (a) the prime lending rate of the bank holding Saskatchewan's general revenue fund; and
 - (b) 2%.
- (3) If the minister declares all or any portion of a support payment to be an overpayment, the amount of the overpayment and any interest to be paid pursuant to subsection (2) is deemed to be a debt due and owing to the Government of Saskatchewan and may be recovered from the applicant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

7 Oct 2011 cF-8.001 Reg 46 s26.

Termination if moneys fully utilized

27(1) Notwithstanding any other provision of these regulations, if the minister determines that moneys in the account have been fully allocated, the minister may refuse to approve any application and the applicant is not eligible to receive any support payment with respect to that application.

(2) If the minister makes a determination pursuant to subsection (1), the minister may cause the effective date of the determination:

(a) to be posted on the website of the ministry over which the minister presides; and

(b) to be made public in any other manner that the minister considers appropriate.

(3) The effective date of the determination may be an earlier date than the date on which the minister makes public the effective date of the determination.

(4) The program is terminated on the effective date of the determination as made public by the minister.

7 Oct 2011 cF-8.001 Reg 46 s27.

PART V
Coming into Force and Expiry

Coming into force and expiry

28(1) These regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) These regulations expire on December 31, 2014.

7 Oct 2011 cF-8.001 Reg 46 s28.