

*The
Canada
Saskatchewan BSE
Recovery Program
Regulations, 2003
(No.2)*

Repealed

by Saskatchewan Regulations 26/2010
(effective April 1, 2010)

Formerly

Chapter F-8.001 Reg 25 (effective August 13, 2003) as amended
by Saskatchewan Regulations 102/2003, 2/2004, 12/2004,
79/2004; 117/2004 and 24/2005.

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 25
The Farm Financial Stability Act

PART I
Title and Interpretation

Title

1 These regulations may be cited as *The Canada Saskatchewan BSE Recovery Program Regulations, 2003 (No. 2)*.

Interpretation

2(1) In these regulations:

- (a) **“account”** means the Canada Saskatchewan BSE Recovery Program Account continued pursuant to section 4;
- (b) **“Act”** means *The Farm Financial Stability Act*;
- (c) **Repealed.** 17 Oct 2003 SR 102/2003 s3.
- (d) **“applicant”** means:
 - (i) in Part III, a feeder who applies for an assistance payment;
 - (ii) in Part IV, a licensed packing plant that applies for an incentive payment;
 - (iii) in Part V, a feeder who applies for a set-aside payment;
 - (iii.1) in part V.1, a feeder who applies for a fed livestock competitive market adjustment payment;
 - (iii.2) in Part V.3, a feeder who applies for a fed cattle set-aside payment;
 - (iii.3) in Part V.4, a feeder who applies for a feeder calf set-aside payment; and
 - (iv) in Part VI, any of the persons mentioned in subclauses (i) to (iii.3);
- (e) **“application”** means:
 - (i) in Part III, an application for an assistance payment that is submitted pursuant to section 6;
 - (ii) in Part IV, an application for an incentive payment that is submitted pursuant to section 11;

- (iii) In Part V, an application for a set-aside payment that is submitted pursuant to section 16;
 - (iv) in Part V.1, an application for a fed livestock competitive market adjustment payment that is submitted pursuant to section 20.2;
 - (v) in Part V.3, an application for a fed cattle set-aside payment that is submitted pursuant to section 20.86; and
 - (vi) in Part V.4, an application for a feeder calf set-aside payment that is submitted pursuant to section 20.91; and
- (f) **“assistance payment”** means a payment approved pursuant to section 8;
- (g) **“assistance program”** means the Canada Saskatchewan BSE Recovery Program continued pursuant to section 3;
- (g.01) **“backgrounder”** means an owner of beef calves born in 2004 from cows owned by Saskatchewan residents that are in inventory as of December 1, 2004;
- (g.02) **“beef cow owner”** means an owner of beef cows that calved or will calve in 2004;
- (g.1) **“breeder”** means:
- (i) an individual who:
 - (A) is a Saskatchewan resident;
 - (B) is 18 years of age or older; and
 - (C) owns, as of September 1, 2003, eligible livestock that are the subject of a registration; or
 - (ii) a corporation, co-operative, partnership, communal organization or Indian band that:
 - (A) is a Saskatchewan resident; and
 - (B) owns, as of September 1, 2003, eligible livestock that are the subject of a registration;
- (h) **“breeder association”** means:
- (i) a breeder association within the meaning of *The Cattle Breeder Associations Loan Guarantee Regulations, 1991*; or
 - (ii) a sheep breeder association within the meaning of *The Sheep Breeder Associations Loan Guarantee Regulations*;
- (i) **“BSE”** means Bovine Spongiform Encephalopathy;
- (i.1) **“cull animal payment”** means a cull animal payment pursuant to section 20.83 that consists of both a Saskatchewan and a federal component;
- (i.2) **“cull animal program”** means the cull animal program established pursuant to section 3;

- (j) “eligible livestock” means:
- (i) with respect to the assistance program and the incentive program, any of the following classes of animals that meet the criteria set out in subsection (2):
 - (A) heifers under 30 months, steers under 30 months, bulls, cows or veal calves of the genus species *Bos taurus* or *Bos indicus* (cattle);
 - (B) lambs, rams, wethers or ewes of the genus species *Ovis aries* (sheep);
 - (C) heifers under 36 months, bulls under 36 months, cull bulls, cows and veal calves of the genus species *Bison bison* (bison);
 - (D) goats of the genus species *Capra hircus*;
 - (E) elk of the genus species *Cervus elaphus nelsoni*, *Cervus elaphus roosevelti*, *Cervus elaphus manitobensis*, *Cervus elaphus nannodes* or any crosses between these subspecies;
 - (F) caribou and reindeer of the genus species *Rangifer tarandus*;
 - (G) mule deer of the genus species *Odocoileus hemionus*;
 - (H) white-tailed deer of the genus species *Odocoileus virginianus*;
 - (I) fallow deer of the genus species *Dama dama*;
 - (ii) with respect to the set-aside program, heifers weighing at least 544.21 kilograms or 1200 pounds or steers weighing at least 566.89 kilograms or 1250 pounds that:
 - (A) are of the genus species *Bos taurus* or *Bos indicus* (cattle); and
 - (B) meet the criteria set out in subsection (2);
 - (iii) with respect to the fed livestock competitive market adjustment program, any of the following classes of animals that meet the criteria set out in subsection (2):
 - (A) heifers under 30 months that weigh at least 544.21 kilograms or 1200 pounds and that are of the genus species *Bos taurus* or *Bos indicus*;
 - (B) steers under 30 months that weigh at least 566.89 kilograms or 1250 pounds and that are of the genus species *Bos taurus* or *Bos indicus*;
 - (C) heifers under 30 months, or steers under 30 months, that:
 - (I) are of the genus species *Bos taurus* or *Bos indicus*;
 - (II) are sold directly for slaughter; and
 - (III) are graded A or B;

- (D) lambs under 12 months of the genus species *Ovis aries* (sheep);
 - (E) heifers under 36 months, or bulls under 36 months, of the genus species *Bison bison* (bison);
 - (F) goats under 12 months of the genus species *Capra hircus*;
 - (G) elk of the genus species *Cervus elaphus nelsoni*, *Cervus elaphus roosevelti*, *Cervus elaphus manitobensis*, *Cervus elaphus nannodes* or any crosses between these subspecies;
 - (H) caribou and reindeer of the genus species *Rangifer tarandus*;
 - (I) mule deer of the genus species *Odocoileus hemionus*;
 - (J) white-tailed deer of the genus species *Odocoileus virginianus*;
 - (K) fallow deer of the genus species *Dama dama*;
- (iv) with respect to the Saskatchewan component of the cull animal program:
- (A) any females of the following classes of animals that meet the criteria set out in clause (2)(e) and have had at least one offspring:
 - (I) cattle of the genus species *Bos taurus* or *Bos indicus*;
 - (II) bison of the genus species *Bison bison*;
 - (III) sheep of the genus species *Ovis aries*;
 - (IV) goats of the genus species *Capra hircus*;
 - (V) elk of the genus species *Cervus elaphus nelsoni*, *Cervus elaphus roosevelti*, *Cervus elaphus manitobensis*, *Cervus elaphus nannodes* or any crosses between these subspecies;
 - (VI) caribou and reindeer of the genus species *Rangifer tarandus*;
 - (VII) mule deer of the genus species *Odocoileus hemionus*;
 - (VIII) white-tailed deer of the genus species *Odocoileus virginianus*;
 - (IX) fallow deer of the genus species *Dama dama*; and
 - (B) any males of the following classes of animals that meet the criteria set out in clause (2)(e):
 - (I) bulls over 30 months of the genus species *Bos taurus* or *Bos indicus* (cattle);
 - (II) bulls over 36 months of the genus species *Bison bison* (bison);
 - (III) rams over 12 months of the genus species *Ovis aries* (sheep);

- (IV) goats over 12 months of the genus species *Capra hircus*;
 - (V) elk over 36 months of the genus species *Cervus elaphus nelsoni*, *Cervus elaphus roosevelti*, *Cervus elaphus manitobensis*, *Cervus elaphus nannodes* or any crosses between these subspecies;
 - (VI) caribou and reindeer over 36 months of the genus species *Rangifer tarandus*;
 - (VII) mule deer over 36 months of the genus species *Odocoileus hemionus*;
 - (VIII) white-tailed deer over 36 months of the genus species *Odocoileus virginianus*;
 - (IX) fallow deer over 36 months of the genus species *Dama dama*;
- (v) with respect to the federal component of the cull animal program:
- (A) any females of the following classes of animals that meet the criteria set out in clause (2)(e) and have had at least one offspring:
 - (I) cattle of the genus species *Bos taurus* or *Bos indicus*;
 - (II) bison of the genus species *Bison bison*;
 - (III) sheep of the genus species *Ovis aries*;
 - (IV) goats of the genus species *Capra hircus*;
 - (V) elk of the genus species *Cervus elaphus nelsoni*, *Cervus elaphus roosevelti*, *Cervus elaphus manitobensis*, *Cervus elaphus nannodes* or any crosses between these subspecies;
 - (VI) caribou and reindeer of the genus species *Rangifer tarandus*;
 - (VII) mule deer of the genus species *Odocoileus hemionus*;
 - (VIII) white-tailed deer of the genus species *Odocoileus virginianus*;
 - (IX) fallow deer of the genus species *Dama dama*; or
 - (B) if an applicant registers more male than female animals of the same species, any males of the following classes of animals that meet the criteria set out in clause (2)(e):
 - (I) bulls over 30 months of the genus species *Bos taurus* or *Bos indicus* (cattle);
 - (II) bulls over 36 months of the genus species *Bison bison* (bison);
 - (III) rams over 12 months of the genus species *Ovis aries* (sheep);

- (IV) goats over 12 months of the genus species *Capra hircus*;
 - (V) elk over 36 months of the genus species *Cervus elaphus nelsoni*, *Cervus elaphus roosevelti*, *Cervus elaphus manitobensis*, *Cervus elaphus nannodes* or any crosses between these subspecies;
 - (VI) caribou and reindeer over 36 months of the genus species *Rangifer tarandus*;
 - (VII) mule deer over 36 months of the genus species *Odocoileus hemionus*;
 - (VIII) white-tailed deer over 36 months of the genus species *Odocoileus virginianus*;
 - (IX) fallow deer over 36 months of the genus species *Dama dama*;
- (vi) with respect to the fed cattle set-aside program, heifers weighing at least 453.60 kilograms or 1000 pounds and having a minimum average lot weight of 498.86 kilograms or 1100 pounds and steers weighing at least 498.86 kilograms or 1100 pounds and having a minimum average lot weight of 544.31 kilograms or 1200 pounds that:
- (A) are of the genus species *Bos taurus* or *Bos indicus* (cattle);
 - (B) meet the criteria set out in subsection (2);
 - (C) have been accepted into the program through an enrolled bid; and
 - (D) were eligible to be sold directly in Canada for slaughter and are expected to grade A;
- (vii) with respect to the feeder calf set-aside program, beef calves of the genus species *Bos taurus* or *Bos indicus* (cattle) born in 2004 that are owned by the applicant;
- (j.01) **“enrolled bid”** means a bid accepted by the federal auction manager to set-aside eligible livestock based on the feeder’s daily feed costs;
- (j.02) **“fed cattle set-aside payment”** means a payment approved pursuant to section 20.88;
- (j.03) **“fed cattle set-aside program”** means the fed cattle set-aside program established pursuant to section 3;
- (j.1) **“fed livestock competitive market adjustment payment”** means a payment approved pursuant to section 20.4;
- (j.2) **“fed livestock competitive market adjustment program”** means the fed livestock competitive market adjustment program established pursuant to section 3;
- (j.3) **“federal auction manager”** means an individual appointed by the federal government to manage the taking, recording, ranking and documenting of bids pursuant to Part V.3;

- (k) **“feeder”** means:
- (i) an individual who:
 - (A) is a Saskatchewan resident;
 - (B) is 18 years of age or older;
 - (C) for the purposes of the assistance program, incentive program, set-aside program, fed livestock competitive market adjustment program and cull animal program owns, before May 20, 2003, eligible livestock that are the subject of an application; and
 - (D) is not an owner of or shareholder in a beef packing facility that is licensed pursuant to the *Meat Inspection Act* (Canada);
 - (ii) a corporation, co-operative, partnership, communal organization or Indian band that:
 - (A) is a Saskatchewan resident;
 - (B) for the purposes of the assistance program, incentive program, set-aside program, fed livestock competitive market adjustment program and cull animal program owns, before May 20, 2003, eligible livestock that are the subject of an application; and
 - (C) is not an owner of or shareholder in a beef packing facility that is licensed pursuant to the *Meat Inspection Act* (Canada);
- (l) **“feeder association”** means:
- (i) a feeder association within the meaning of *The Cattle Feeder Associations Loan Guarantee Regulations, 1989*;
 - (ii) a bison feeder association within the meaning of *The Bison Feeder Associations Loan Guarantee Regulations*;
 - (iii) a sheep feeder association within the meaning of *The Sheep Feeder Associations Loan Guarantee Regulations*; or
 - (iv) an enhanced feeder association within the meaning of *The Enhanced Cattle Feeder Associations Loan Guarantee Regulations*;
- (l.1) **“feeder calf set-aside payment”** means a payment approved pursuant to section 20.93;
- (l.2) **“feeder calf set-aside program”** means the feeder calf set-aside program established pursuant to section 3;
- (m) **“heavy lamb”** means a lamb sold for slaughter that is, at the time of sale, greater than 54.42 kilograms or 120 pounds;
- (n) **“incentive payment”** means an incentive payment approved pursuant to section 13;
- (o) **“incentive program”** means the incentive program established pursuant to section 3;

- (p) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (q) **“licensed packing plant”** means a premises or facility:
- (i) that is used for slaughtering or processing cattle; and
 - (ii) that satisfies the minister that it is licensed or approved to undertake the activities mentioned in subclause (i) in the province or territory in which it is located;
- (q.1) **“lot”** means a group of fed cattle eligible for the fed cattle set-aside program;
- (q.2) **“management committee”** means the committee of representatives of Canada, Saskatchewan and other participating provinces established pursuant to the Canada – Saskatchewan Agreement Establishing the BSE Recovery Program Amending Agreement No. 3;
- (r) **“muscle cuts of beef”** includes fresh and frozen cuts commonly known as table cuts from skeletal beef, including steaks and roasts;
- (s) **“owner”**, with respect to eligible livestock, means:
- (i) a person who is able to satisfy the minister based on evidence that the minister considers appropriate that the person is the owner of the eligible livestock;
 - (ii) a person who is a member of a feeder association, who is growing and finishing the eligible livestock and who has a feeder contract with the feeder association with respect to that eligible livestock; or
 - (iii) a person who is a member of a breeder association, who is growing and finishing the eligible livestock and who has a breeder contract with the breeder association with respect to that eligible livestock;
- (t) **“purchase contract”** means a contract to purchase eligible livestock that:
- (i) is required for the purposes of the set-aside program or the feeder calf set-aside program; and
 - (ii) is between:
 - (A) a purchaser; and
 - (B) the feeder of the eligible livestock;
- (u) **“purchaser”** means, for the purposes of the set-aside program and the feeder calf set-aside program:
- (i) an individual who is at least 18 years of age who enters into a purchase contract with a feeder of eligible livestock; or
 - (ii) a corporation, co-operative, partnership, communal organization or Indian band that enters into a purchase contract with a feeder of eligible livestock;

- (u.1) **“registrant”** means a breeder who registers for a cull animal program payment;
- (u.2) **“registration”** means a registration for a cull animal program payment that is submitted pursuant to section 20.81;
- (v) **“review committee”** means any review committee established by the minister pursuant to *The Government Organization Act* for the purposes of these regulations;
- (w) **“Saskatchewan resident”** means:
- (i) an individual who is a Canadian resident who:
 - (A) filed an income tax return respecting farm income in Saskatchewan in the year preceding the year for which an application is made; or
 - (B) filed or will file an income tax return respecting farm income in Saskatchewan for the year for which an application is made;
 - (ii) an Indian band whose reserve lands are in Saskatchewan; or
 - (iii) a corporation, communal organization, partnership or co-operative:
 - (A) that is registered to carry on business in Saskatchewan;
 - (B) of which a majority of its shares or membership interests are owned by persons that meet the criteria in subclause (i); and
 - (C) that:
 - (I) filed an income tax return respecting farm income in Saskatchewan in the year preceding the year for which an application is made; or
 - (II) filed or will file an income tax return respecting farm income in Saskatchewan for the year for which an application is made;
- (x) **“set-aside payment”** means a payment approved pursuant to section 18;
- (x.1) **“set-aside period”** means the period for which eligible livestock must be held from slaughter;
- (y) **“set-aside program”** means the set-aside program established pursuant to section 3;
- (z) **“veal calf”** means a bovine animal that:
- (i) has the maturity characteristics set out in Schedule I to Part IV of the *Livestock and Poultry Carcass Grading Regulations*, being SOR/92 541; and
 - (ii) has a carcass weight of:
 - (A) less than 205 kilograms with the hide on; or
 - (B) less than 180 kilograms with the hide off.

(2) For the purposes of clause (1)(j), the eligible livestock mentioned in that clause must meet the following criteria:

(a) for the purposes of the assistance program, incentive program, set-aside program, fed livestock competitive market adjustment program and cull animal program, as of May 20, 2003, the eligible livestock were being fed in Canada for slaughter;

(b) in the case of eligible livestock for the purposes of the assistance program or the incentive program:

(i) the eligible livestock are sold in Canada before the earliest of the following:

(A) the date confirmed by the minister pursuant to subsection (3) as the date that the Canada/United States border is re-opened to the export of muscle cuts of beef or of live cattle of up to 30 months of age at the time of sale;

(B) the date determined by the minister pursuant to subsection 21(1) as the date that the moneys in the account have been fully utilized on a national basis;

(C) in the case of eligible livestock other than heifers under 30 months and steers under 30 months of the genus species *Bos taurus* or *Bos indicus* (cattle), August 31, 2003;

(ii) the eligible livestock are slaughtered in Canada;

(iii) in the case of eligible livestock sold on or after May 20, 2003 and on or before June 17, 2003, the eligible livestock are slaughtered on or before July 10, 2003;

(iv) in the case of eligible livestock sold on or after June 18, 2003, the eligible livestock are slaughtered within 14 days after being sold;

(c) in the case of the set-aside program, the eligible livestock are set-aside or sold for the purpose of being set-aside before the earliest of the following:

(i) the date confirmed by the minister pursuant to subsection (3) as the date that the Canada/United States border is re-opened to the export of muscle cuts of beef or of live cattle of up to 30 months of age at the time of sale;

(ii) the date determined by the minister pursuant to subsection 21(1) as the date that the moneys in the account have been fully utilized on a national basis;

(iii) August 31, 2003;

- (d) in the case of the fed livestock competitive market adjustment program, the eligible livestock are sold in Canada before the earliest of the following:
- (i) the date confirmed by the minister pursuant to subsection (3) as the date that the Canada/United States border is re-opened to the export of live livestock of up to 30 months of age at the time of sale;
 - (ii) the date determined by the minister pursuant to subsection 21(1) as the date that the moneys in the account have been fully utilized;
 - (iii) the date that, in the opinion of the minister, all of the remaining eligible livestock that were being fed on May 20, 2003 have been compensated for pursuant to these regulations;
 - (iv) December 20, 2003;
- (e) in the case of the cull animal program, the eligible livestock are owned by the registrant as of September 1, 2003;
- (f) in the case of the fed cattle set-aside program, the eligible livestock are set-aside from sale and slaughter until the earliest of:
- (i) a period of up to 120 days as determined by the minister from the day the feeder is advised that the federal auction manager has accepted the feeder's bid;
 - (ii) the date confirmed by the minister pursuant to subsection (3); and
 - (iii) the date determined by the minister pursuant to subsection 21(1) as the date that the moneys in the account have been fully utilized;
- (g) in the case of the feeder calf set-aside program, the eligible livestock are:
- (i) born in 2004;
 - (ii) owned by the feeder; and
 - (iii) set-aside:
 - (A) from sale until the earlier of:
 - (I) March 31, 2005; and
 - (II) the date confirmed by the minister pursuant to subsection (3);
 - (B) from slaughter until the earlier of:
 - (I) whichever of October 1, 2005 or January 1, 2006 the producer chooses on an application form provided by the minister; and
 - (II) the date confirmed by the minister pursuant to subsection (3);

(3) For the purposes of paragraph (2)(b)(i)(A), subclause (2)(c)(i), subclause (2)(d)(i), clause (2)(f), clause (2)(g) and subclause 11(2)(b)(ii), the minister may confirm the date that the Canada/United States border is re-opened to the export of muscle cuts of beef or of live cattle of up to 30 months of age at the time of sale.

(4) **Repealed.** 17 Oct 2003 SR 102/2003 s3.

22 Aug 2003 cF-8.001 Reg 25 s2; 17 Oct 2003
 SR 102/2003 s3; 30 Jan 2004 SR 2/2004 s3; 2
 Apr 2004 SR 12/2004 s3; 17 Dec 2004 SR 117/
 2004 s3; 1 Apr 2005 SR 24/2005 s2.

PART II Programs, Account and Administration

Programs governed by these regulations

3(1) The Canada Saskatchewan BSE Recovery Program is continued for the purposes of:

- (a) providing assistance payments to feeders affected by the market disruption caused by the closure of the Canada/United States border to eligible livestock exports; and
 - (b) encouraging the slaughter of eligible livestock in Canada.
- (2) The incentive program is established for the purposes of:
- (a) assisting licensed packing plants in disposing of by-products from eligible livestock during the period that the market for eligible livestock remains disrupted by the closure of the Canada/United States border to eligible livestock exports; and
 - (b) encouraging the slaughter of eligible livestock in Canada.
- (3) The set-aside program is established for the purpose of assisting feeders of eligible livestock to set aside eligible livestock for eight weeks during the period that the market for eligible livestock remains disrupted by the closure of the Canada/United States border to eligible livestock exports.
- (4) The fed livestock competitive market adjustment program is established for the purpose of assisting feeders who sell eligible livestock during the period that the market for eligible livestock remains disrupted by the closure of the Canada/United States border to eligible livestock exports.
- (5) The cull animal program is established for the purpose of assisting breeders during the period that the market for eligible livestock remains disrupted by the closure of the Canada/United States border to eligible livestock exports.
- (6) The fed cattle set-aside program is established to sustain the beef industry by managing the supply of animals going to packers and feedlots until a planned increase in slaughter capacity is introduced.
- (7) The feeder calf set-aside program is established to sustain the beef industry by managing the supply of current year beef calves going to market.

22 Aug 2003 cF-8.001 Reg 25 s3; 17 Oct 2003
 SR 102/2003 s4; 30 Jan 2004 SR 2/2004 s4; 17
 Dec 2004 SR 117/2004 s4.

Account continued

- 4(1) The Canada Saskatchewan BSE Recovery Program Account established pursuant to *The Canada Saskatchewan BSE Recovery Program Regulations* is continued.
- (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 assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program or the cull animal 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 assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program or the cull animal program pursuant to an agreement made pursuant to subsection 22(2) of the Act.
- (3) The account consists of:
- (a) all contributions mentioned in subsection (2);
 - (b) all other moneys appropriated by the Legislature:
 - (i) for the purposes of the assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program or the cull animal 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 assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program or the cull animal program.
- (4) All assistance payments, incentive payments, set-aside payments, fed livestock competitive market adjustment payments fed cattle set-aside payments, feeder calf set-aside payments and cull animal payments are to be paid from the account.
- (5) Any surplus remaining in the account when the assistance program, incentive program, set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program and the cull animal program are 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.

Minister to administer account and programs

5(1) The minister shall administer:

- (a) the account; and
- (b) the assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program and the cull animal program.

(2) For the purpose of administering the account and the assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program and the cull animal program, the minister may:

- (a) exercise the powers given to the minister pursuant to the Act; and
- (b) do any other thing that the minister considers necessary to administer:
 - (i) the account; or
 - (ii) the assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program or the cull animal program.

(3) Without limiting the generality of subsection (2), for the purpose of administering the account or the assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program or the cull animal program:

- (a) police and audit compliance with the assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program or the cull animal program;
- (b) enter into any agreement with any person, agency, organization, association, institution or body that the minister considers advisable;
- (c) execute any bills of exchange, promissory notes and other negotiable or transferable instruments;
- (d) undertake research, conduct studies and provide information to agricultural producers in relation to:
 - (i) eligible livestock; or
 - (ii) the assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program or the cull animal program;

- (e) use any moneys received in the account to:
- (i) pay for the administration of the account and the assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program and the cull animal program; and
 - (ii) make:
 - (A) assistance payments to feeders;
 - (B) incentive payments to licensed packing plants;
 - (C) set-aside payments to feeders;
 - (D) fed livestock competitive market adjustment payments to feeders;
 - (E) cull animal payments to breeders;
 - (F) fed cattle set-aside payments; or
 - (G) feeder calf set-aside payments;
- (f) invest any moneys in the account that are not presently required for the purposes of the assistance program, the incentive program, the set-aside program, the fed livestock competitive market adjustment program the fed cattle set-aside program, the feeder calf set-aside program or the cull animal program in any investments that are authorized pursuant to *The Financial Administration Act, 1993* as investments for the general revenue fund; and
- (g) dispose of any investment made pursuant to clause (f), subject to the terms of the investment, in any manner, on any terms and in any amount that the minister considers advisable.

17 Oct 2003 SR 102/2003 s6; 30 Jan 2004 SR 2/
2004 s6; 17 Dec 2004 SR 117/2004 s6.

PART III Assistance Program

Application for assistance payment

6(1) A feeder who wishes to apply for an assistance payment must apply to the minister on an application form supplied by the minister.

(2) On an application form submitted pursuant to subsection (1), the applicant must:

- (a) specify the number of eligible livestock that are the subject of the application and the total net live weight of those eligible livestock;
- (b) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the applicant was the owner, before May 20, 2003, of the eligible livestock that are the subject of the application;

- (c) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the livestock mentioned in the application are eligible livestock;
 - (d) declare that no other application for assistance has been made or is to be made for the eligible livestock that are the subject of the application pursuant to:
 - (i) the assistance program, the set-aside program, or the fed livestock competitive market adjustment program; or
 - (ii) any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock;
 - (e) provide the minister with any evidence that the minister may require to determine, to the satisfaction of the minister, the following:
 - (i) the applicant's province or territory of residency and, if appropriate, the applicant's age;
 - (ii) the applicant's compliance with these regulations;
 - (iii) the applicant's eligibility for an assistance payment;
 - (iv) the amount of any assistance payment to be paid to the applicant; and
 - (f) provide the minister with any evidence or information in addition to that mentioned in clauses (a) to (e) that the minister may require for the purpose of:
 - (i) substantiating the applicant's eligibility;
 - (ii) determining the amount of an assistance payment to the applicant;
 - (iii) verifying the applicant's compliance with these regulations; or
 - (iv) administering the assistance program.
- (3) If the applicant is a corporation, co-operative, partnership, communal organization or Indian band, for the purposes of verifying residency and compliance with these regulations, the applicant on its application must provide, if requested by the minister:
- (a) the names of its shareholders, partners or members; and
 - (b) evidence respecting the shareholders, partners or members that the minister may require to determine the eligibility of the applicant for an assistance payment.

Time limit for submitting applications under assistance program

7(1) Subject to subsection (2), an application must be received by the minister on or before September 30, 2003 or, in the case of an application that is mailed, must be postmarked on or before September 30, 2003.

(2) The minister may consider an application received or postmarked after September 30, 2003 if:

(a) the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been received or postmarked on or before September 30, 2003; or

(b) a review committee has been established, the review committee determines that extenuating circumstances exist and recommends to the minister that the application be considered.

22 Aug 2003 cF-8.001 Reg 25 s7; 30 Jan 2004
SR 2/2004 s7.

Approval of application for assistance payment

8(1) Subject to subsections (2) and (3) and section 21, if the minister is satisfied that an applicant meets the eligibility requirements set out in these regulations and has complied with the regulations, the minister may approve an assistance payment to the applicant.

(2) Not more than one assistance payment is payable with respect to the same eligible livestock and, if, a person has received an assistance payment for eligible livestock, that person is not entitled to receive a set-aside payment or fed livestock competitive market adjustment payment for the same eligible livestock.

(3) An applicant is not entitled to receive any assistance payments with respect to eligible livestock that are the subject of an application if the applicant has applied for or received any payment with respect to the eligible livestock pursuant to any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock.

22 Aug 2003 cF-8.001 Reg 25 s8; 17 Oct 2003
SR 102/2003 s8.

Amount and terms of assistance payment

9(1) The amount of an applicant's approved assistance payment is the amount AP calculated in accordance with the following formula and as adjusted in accordance with subsection (2):

$$AP = \text{TNLW} \times \text{AMLD}$$

where:

TNLW is the total net live weight of the applicant's eligible livestock as stated on the applicant's application form;

AMLD is the adjusted market loss differential as at the date the applicant sold the eligible livestock.

(2) For the purposes of determining the amount of an applicant's approved assistance payment, the amount AP calculated pursuant to subsection (1) is to be adjusted in accordance with the sliding scale index as determined by the minister in accordance with the agreement made pursuant to subsection 22(2) of the Act.

(3) For the purposes of the definition of AMLD in subsection (1), the minister may determine, in accordance with the agreement made pursuant to subsection 22(2) of the Act, an adjusted market loss differential for a day or period in accordance with the following formula:

$$\text{AMLD} = \text{USMP} - \text{WCMP}$$

where:

AMLD is the adjusted market loss differential for the day or period;

USMP is the United States market price for livestock for the day or period as determined by the minister in accordance with the agreement made pursuant to subsection 22(2) of the Act and as adjusted for exchange rate and basis differences between Canada and the United States for the day or period; and

WCMP is the Western Canadian market price for livestock for the day or period as determined by the minister in accordance with the agreement made pursuant to subsection 22(2) of the Act.

(4) The minister may cause the sliding scale index determined pursuant to subsection (2) and the adjusted market loss differential for a day or period calculated pursuant to subsection (3):

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

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

(5) Notwithstanding any other provision of this section:

(a) the minister may establish, in accordance with the agreement made pursuant to subsection 22(2) of the Act, a different adjusted market loss differential for each of the following classes of eligible livestock:

(i) steers and heifers;

(ii) bulls;

(iii) cows;

(iv) veal calves;

(v) rams, wethers and ewes;

(vi) lambs;

(vii) heavy lambs;

(viii) bison heifers and bulls under 36 months;

(ix) bison cull bulls;

- (x) bison cows;
- (xi) bison veal calves;
- (xii) goats;
- (xiii) caribou;
- (xiv) reindeer;
- (xv) elk;
- (xvi) mule deer;
- (xvii) white-tailed deer;
- (xviii) fallow deer; and

(b) an applicant's assistance payment is to be based on the class of the eligible livestock that are the subject of the application and the adjusted market loss differential for that class of eligible livestock.

(6) No assistance payment is to be paid to an applicant if the amount of the assistance payment is less than \$50.

(7) If the applicant is a member of a feeder association or a breeder association and the eligible livestock for which an assistance payment is to be made are the subject of an agreement between the applicant and the association, the assistance payment is to be paid jointly in the name of:

- (a) the applicant; and
- (b) the association.

22 Aug 2003 cF-8.001 Reg 25 s9.

Restrictions on transfer or assignment of assistance payments

10(1) No transfer or assignment of an assistance payment is valid unless it has been granted a prior written approval by the minister.

(2) An applicant who wishes to transfer or assign an assistance payment shall:

- (a) apply for approval to the minister on a form provided by the minister; and
- (b) supply the minister with any additional information that the minister may reasonably require to determine whether or not to approve the transfer or assignment.

(3) The minister may refuse to approve more than one transfer or assignment of an assistance payment.

(4) If the minister approves a transfer or assignment, the minister may impose any terms and conditions that the minister considers necessary or prudent on the approval.

(5) No person who is subject to an approval granted pursuant to this section shall fail to comply with any term or condition imposed by the minister on the approval.

(6) Notwithstanding that the minister has approved a transfer or assignment of an assistance payment pursuant to this section, the minister may deduct or set-off from the assistance payment the amount of any debt of, or other moneys owing by, the applicant to whom the assistance payment is payable to:

- (a) the Crown in right of Canada; or
- (b) the Crown in right of Saskatchewan.

22 Aug 2003 cF-8.001 Reg 25 s10.

PART IV Incentive Program

Application for incentive payment

11(1) A licensed packing plant that wishes to apply for an incentive payment must apply to the minister on an application form supplied by the minister.

(2) On an application form submitted pursuant to subsection (1), the applicant must:

- (a) specify the number of eligible livestock that are the subject of the application;
- (b) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the eligible livestock that are the subject of the application were slaughtered by the applicant on or after June 18, 2003 and on or before the earlier of the following:
 - (i) August 31, 2003;
 - (ii) the date confirmed by the minister pursuant to subsection 2(3) that the Canada/United States border is re-opened to the export of muscle cuts of beef or of live cattle of up to 30 months of age at the time of sale;
- (c) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the livestock mentioned in the application are eligible livestock;
- (d) declare that no other application for assistance has been made or is to be made for the eligible livestock that are the subject of the application pursuant to:
 - (i) the incentive program; or
 - (ii) any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock;

- (e) provide the minister with any evidence that the minister may require to determine, to the satisfaction of the minister, the following:
- (i) the location of the applicant's licensed packing plant;
 - (ii) the applicant's compliance with these regulations;
 - (iii) the applicant's eligibility for an incentive payment;
 - (iv) the amount of any incentive payment to be paid to the applicant;
- and
- (f) provide the minister with any evidence or information in addition to that mentioned in clauses (a) to (e) that the minister may require for the purpose of:
- (i) substantiating the applicant's eligibility;
 - (ii) determining the amount of an incentive payment to the applicant;
 - (iii) verifying the applicant's compliance with these regulations; or
 - (iv) administering the incentive program.

22 Aug 2003 cF-8.001 Reg 25 s11; 10 Sept 2004
SR 79/2004 s2.

Time limit for submitting applications under incentive program

12(1) Subject to subsection (2), an application must be received by the minister on or before October 31, 2003 or, in the case of an application that is mailed, must be postmarked on or before October 31, 2003.

(2) The minister may consider an application received or postmarked after October 31, 2003 if:

- (a) the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been received or postmarked on or before October 31, 2003; or
- (b) a review committee has been established, the review committee determines that extenuating circumstances exist and recommends to the minister that the application be considered.

22 Aug 2003 cF-8.001 Reg 25 s12; 17 Oct 2003
SR 102/2003 s9; 30 Jan 2004 SR 2/2004 s8.

Approval of application for incentive payment

13(1) Subject to subsections (2) and (3) and section 21, if the minister is satisfied that an applicant meets the eligibility requirements set out in these regulations and has complied with the regulations, the minister may approve an incentive payment to the applicant.

(2) No more than one incentive payment is payable with respect to the same eligible livestock.

(3) An applicant is not entitled to receive any incentive payments with respect to eligible livestock that are the subject of an application if the applicant has applied for or received any payment with respect to the eligible livestock pursuant to any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock.

(4) If a licensed packing plant would have been eligible for an incentive payment pursuant to this section if it had applied and it has received a payment under a similar program offered by another province, the minister may approve a payment to that province in the amount that the licensed packing plant could have received as an applicant.

22 Aug 2003 cF-8.001 Reg 25 s13; 2 Apr 2004
SR 12/2004 s4.

Amount and terms of incentive payment

14(1) The amount of an applicant's incentive payment is an amount IP calculated in accordance with the following formula:

$$IP = NEL \times P$$

where:

NEL is the number of eligible livestock that are the subject of the application;
and

P is the payment per head of eligible livestock determined in accordance with the formula contained in Schedule 3 of the agreement made pursuant to subsection 22(2) of the Act and based on the species of eligible livestock that are the subject of the application.

(2) The minister may impose any terms and conditions on an incentive payment that the minister considers appropriate.

(3) No person who is the subject of terms or conditions imposed pursuant to subsection (2) shall fail to comply with any term or condition.

22 Aug 2003 cF-8.001 Reg 25 s14.

Incentive payments not transferable or assignable

15 No transfer or assignment of an incentive payment is valid.

22 Aug 2003 cF-8.001 Reg 25 s15.

PART V
Set-aside Program

Application for set-aside payment

16(1) A feeder who wishes to apply for a set-aside payment must apply to the minister on an application form supplied by the minister.

(2) On an application form submitted pursuant to subsection (1), the applicant must:

(a) specify the number of eligible livestock that are the subject of the application and the total net live weight of those eligible livestock;

(b) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the applicant was the owner, before May 20, 2003, of the eligible livestock that are the subject of the application;

(c) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the livestock mentioned in the application are eligible livestock;

(d) declare that no other application for assistance has been made or is to be made for the eligible livestock that are the subject of the application pursuant to:

(i) the assistance program, the set-aside program, or the fed livestock competitive market adjustment program; or

(ii) any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock;

(e) provide the minister with any evidence that the minister may require to determine, to the satisfaction of the minister, the following:

(i) the applicant's province or territory of residency and, if appropriate, the applicant's age;

(ii) the applicant's compliance with these regulations;

(iii) the applicant's eligibility for a set-aside payment; and

(iv) the amount of any set-aside payment to be paid to the applicant;
and

(f) provide the minister with any evidence or information in addition to that mentioned in clauses (a) to (e) that the minister may require for the purposes of:

(i) substantiating the applicant's eligibility;

(ii) determining the amount of a set-aside payment to the applicant;

(iii) verifying the applicant's compliance with these regulations; or

(iv) administering the set-aside program.

(3) If the applicant is a corporation, co-operative, partnership, communal organization or Indian band, for the purposes of verifying residency and compliance with these regulations, the applicant on its application must provide, if requested by the minister:

- (a) the names of its shareholders, partners or members; and
- (b) evidence respecting the shareholders, partners or members that the minister may require to determine the eligibility of the applicant for a set-aside payment.

22 Aug 2003 cF-8.001 Reg 25 s16; 17 Oct 2003
SR 102/2003 s10.

Time limit for submitting applications under set-aside program

17(1) Subject to subsection (2), an application must be received by the minister on or before September 30, 2003 or, in the case of an application that is mailed, must be postmarked on or before September 30, 2003.

(2) The minister may consider an application received or postmarked after September 30, 2003 if:

- (a) the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been received or postmarked on or before September 30, 2003; or
- (b) a review committee has been established, the review committee determines that extenuating circumstances exist and recommends to the minister that the application be considered.

22 Aug 2003 cF-8.001 Reg 25 s17; 17 Oct 2003
SR 102/2003 s11; 30 Jan 2004 SR 2/2004 s9.

Approval of application for set-aside payment

18(1) Subject to subsections (2) and (3) and section 21, if the minister is satisfied that an applicant meets the eligibility requirements set out in these regulations and has complied with the regulations, the minister may approve a set-aside payment to the applicant.

(2) Not more than one set-aside payment is payable with respect to the same eligible livestock and, if, a person has received a set-aside payment for eligible livestock, that person is not entitled to receive an assistance or fed livestock competitive market adjustment payment for the same eligible livestock.

(3) An applicant is not entitled to receive any set-aside payments with respect to eligible livestock that are the subject of an application if the applicant has applied for or received any payment with respect to the eligible livestock pursuant to any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock.

22 Aug 2003 cF-8.001 Reg 25 s18; 17 Oct 2003
SR 102/2003 s12.

Amount and terms of set-aside payment

- 19(1) The amount of an applicant's approved set-aside payment is the same amount as any assistance payment that would have been calculated and paid in accordance with section 9 if the application respecting the eligible livestock had been an application to receive an assistance payment.
- (2) Section 9 applies, with any necessary modification, for the purposes of determining the amount of a set-aside payment.
- (3) As a condition of receiving a set-aside payment, the applicant must agree:
- (a) to mark the eligible livestock in the manner required by the minister; and
 - (b) either:
 - (i) to withhold the eligible livestock from slaughter for at least eight weeks from the last day of the week the eligible livestock were marked as required by clause (a); or
 - (ii) if the eligible livestock are sold to a purchaser, to:
 - (A) conclude a written purchase contract with the purchaser; and
 - (B) include in the purchase contract mentioned in paragraph (A) a condition that the purchaser must withhold the eligible livestock from slaughter for at least eight weeks from the last day of the week in which the eligible livestock were marked as required by clause (a).
- (4) The minister may impose any terms and conditions on a set-aside payment that the minister considers appropriate.
- (5) No person who is the subject of terms or conditions imposed pursuant to subsection (4) shall fail to comply with any term or condition.

22 Aug 2003 cF-8.001 Reg 25 s19.

Restrictions on transfer or assignment of set-aside payments

- 20(1) No transfer or assignment of a set-aside payment is valid unless it has been granted a prior written approval by the minister.
- (2) An applicant who wishes to transfer or assign a set-aside payment shall:
- (a) apply for approval to the minister on a form provided by the minister; and
 - (b) supply the minister with any additional information that the minister may reasonably require to determine whether or not to approve the transfer or assignment.
- (3) The minister may refuse to approve more than one transfer or assignment of a set-aside payment.
- (4) If the minister approves a transfer or assignment, the minister may impose any terms and conditions that the minister considers necessary or prudent on the approval.
- (5) No person who is subject to an approval granted pursuant to this section shall fail to comply with any term or condition imposed by the minister on the approval.

(6) Notwithstanding that the minister has approved a transfer or assignment of a set-aside payment pursuant to this section, the minister may deduct or set-off from the set-aside payment the amount of any debt of, or other moneys owing by, the applicant to whom the set-aside payment is payable to:

- (a) the Crown in right of Canada; or
- (b) the Crown in right of Saskatchewan.

22 Aug 2003 cF-8.001 Reg 25 s20.

PART V.1

Fed Livestock Competitive Market Adjustment Program

Eligibility to apply for fed livestock competitive market adjustment payment

20.1(1) Subject to subsection (3), a feeder is eligible to apply for a fed livestock competitive market adjustment payment for eligible livestock only if the feeder has informed the minister of the proposed sale of those eligible livestock during the week of the program in which the eligible livestock are to be sold.

(2) For the purposes of subsection (1), a feeder shall notify the minister:

- (a) in any manner that the minister considers appropriate; and
- (b) before the sale of the eligible livestock.

(3) Subsection (1) does not apply to:

- (a) eligible livestock slaughtered on or after August 18, 2003 and on or before September 14, 2003; or
- (b) an application with respect to which:
 - (i) the feeder has requested a reconsideration pursuant to section 23; and
 - (ii) if a review committee has been established, the review committee has recommended to the minister that the application be exempted from subsection (1).

17 Oct 2003 SR 102/2003 s13; 30 Jan 2004 SR
2/2004 s10.

Application for fed livestock competitive market adjustment program

20.2(1) A feeder who wishes to apply for a fed livestock competitive market adjustment payment must apply on an application form supplied by the minister.

(2) On an application form submitted pursuant to subsection (1), the applicant must:

- (a) specify the number of eligible livestock that are the subject of the application and the total net live weight of those eligible livestock;
- (b) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the applicant was the owner, before May 20, 2003, of the eligible livestock that are the subject of the application;

- (c) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the livestock that are the subject of the application are eligible livestock;
 - (d) declare that no other application for assistance has been made or is to be made for the eligible livestock that are the subject of the application pursuant to:
 - (i) the assistance program, the set-aside program or the fed livestock competitive market adjustment program; or
 - (ii) any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock;
 - (e) provide the minister with any evidence that the minister may require to determine, to the satisfaction of the minister, the following:
 - (i) the applicant's province or territory of residency and, if appropriate, the applicant's age;
 - (ii) the applicant's compliance with these regulations;
 - (iii) the applicant's eligibility for a fed livestock competitive market adjustment payment; and
 - (iv) the amount of any fed livestock competitive market adjustment payment to be paid to the applicant; and
 - (f) provide the minister with any evidence or information in addition to that mentioned in clauses (a) to (e) that the minister may require for the purposes of:
 - (i) substantiating the applicant's eligibility;
 - (ii) determining the amount of a fed livestock competitive market adjustment payment to the applicant;
 - (iii) verifying the applicant's compliance with these regulations; or
 - (iv) administering the fed livestock competitive market adjustment payment.
- (3) If the applicant is a corporation, co-operative, partnership, communal organization or Indian band, for the purposes of verifying residency and compliance with these regulations, the applicant on its application must provide, if requested by the minister:
- (a) the names of its shareholders, partners or members; and
 - (b) evidence respecting the shareholders, partners or members that the minister may require to determine the eligibility of the applicant for a fed livestock competitive market adjustment payment.

Time limit for submitting applications under fed livestock competitive market adjustment program

20.3(1) Subject to subsection (2), an application must be received by the minister on or before January 5, 2004 or, in the case of an application that is mailed, must be postmarked on or before January 5, 2004.

(2) The minister may consider an application received or postmarked after January 5, 2004 if:

(a) the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been received or postmarked on or before January 5, 2004; or

(b) a review committee has been established, the review committee determines that extenuating circumstances exist and recommends to the minister that the application be considered.

17 Oct 2003 SR 102/2003 s13; 30 Jan 2004 SR
2/2004 s11.

Approval of application for fed livestock competitive market adjustment payment

20.4(1) Subject to subsections (2) and (3) and section 21, if the minister is satisfied that an applicant meets the eligibility requirements set out in these regulations and has complied with the regulations, the minister may approve a fed livestock competitive market adjustment payment to the applicant.

(2) Not more than one fed livestock competitive market adjustment payment is payable with respect to the same eligible livestock and, if, a person has received a fed livestock competitive market adjustment payment for eligible livestock, that person is not entitled to receive an assistance payment or a set-aside payment for the same eligible livestock.

(3) An applicant is not entitled to receive any fed livestock competitive market adjustment payment with respect to eligible livestock that are the subject of an application if the applicant has applied for or received any payment with respect to the eligible livestock pursuant to any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock.

17 Oct 2003 SR 102/2003 s13.

Amount and terms of fed livestock competitive market adjustment payment

20.5(1) Subject to subsection (6), the amount of an applicant's approved fed livestock competitive market adjustment payment is the amount AP calculated in accordance with the following formula and as adjusted in accordance with subsection (2):

$$AP = TNLW \times AMLD$$

where:

TNLW is the total net live weight of the applicant's eligible livestock as stated on the applicant's application form;

AMLD is the adjusted market loss differential as at the date the applicant sold the eligible livestock.

(2) For the purposes of determining the amount of an applicant's approved fed livestock competitive market adjustment payment, the amount AP calculated pursuant to subsection (1) is to be adjusted in accordance with a sliding scale index that the minister may establish.

(3) For the purposes of the definition of AMLD in subsection (1), the minister may determine an adjusted market loss differential for a day or period in accordance with the following formula:

$$\text{AMLD} = \text{USMP} - \text{LP}$$

where:

AMLD is the adjusted market loss differential for the day or period;

USMP is the United States market price for livestock for the day or period as determined by the minister and as adjusted for exchange rate and basis differences between Canada and the United States for the day or period, to a maximum of \$1.00 Canadian; and

LP is the greater of:

- (a) the highest weekly Western Canadian market price for the day or period determined by the minister for livestock sold between August 18, 2003 and the date the eligible livestock are sold; and
- (b) the price for the eligible livestock that the applicant actually received.

(4) The minister may cause the sliding scale index established pursuant to subsection (2) and the adjusted market loss differential for a day or period calculated pursuant to subsection (3):

- (a) to be posted on the Internet website of the department over which the minister presides; and
- (b) to be made public in any other manner that the minister considers appropriate.

(5) Notwithstanding any other provision of this section:

- (a) the minister may establish a different adjusted market loss differential for each of the following classes of eligible livestock:
 - (i) steers and heifers;
 - (ii) lambs;
 - (iii) bison heifers and bulls;
 - (iv) goats;
 - (v) caribou;
 - (vi) reindeer;
 - (vii) elk;
 - (viii) mule deer;
 - (ix) white-tailed deer;
 - (x) fallow deer; and

- (b) an applicant's fed livestock competitive market adjustment payment is to be based on the class of the eligible livestock that are the subject of the application and the adjusted market loss differential for that class of eligible livestock.
- (6) The maximum fed livestock competitive market adjustment payment per head of eligible livestock that may be paid is the following for each class of eligible livestock:
- (a) with respect to heifers, steers and bison, \$250 for each head;
 - (b) with respect to elk, \$125 for each head;
 - (c) with respect to lambs and goats, \$50 for each head;
 - (d) with respect to caribou, reindeer, mule deer, white-tailed deer and fallow deer, \$62.50 for each head.
- (7) No fed livestock competitive market adjustment payment is to be paid to an applicant if the amount of the payment is less than \$50.
- (8) If the applicant is a member of a feeder association or a breeder association and the eligible livestock for which a fed livestock competitive market adjustment payment is to be made are the subject of an agreement between the applicant and the association, the assistance payment is to be paid jointly in the name of:
- (a) the applicant; and
 - (b) the association.
- (9) As a condition of receiving a fed livestock competitive market adjustment payment for a heifer or steer of the genus species *Bos taurus* or *Bos indicus*, the applicant must:
- (a) sell the eligible livestock directly for slaughter; or
 - (b) if the eligible livestock are fed and located in Saskatchewan or Alberta and are not sold directly for slaughter, mark the eligible livestock in the manner required by the minister.
- (10) As a condition of receiving a fed livestock competitive market adjustment payment for eligible livestock other than a heifer or steer of the genus species *Bos taurus* or *Bos indicus*, the applicant must sell the eligible livestock directly for slaughter.
- (11) The minister may impose any terms and conditions on a fed livestock competitive market adjustment payment that the minister considers appropriate.
- (12) No person who is subject to terms or conditions imposed pursuant to subsection (11) shall fail to comply with any term or condition.

Fed livestock competitive market adjustment payment directed to certain loans

20.6(1) Subject to subsection (2), if an applicant for a fed livestock competitive market adjustment payment has outstanding loans pursuant to *The BSE Livestock Loan Guarantee Program Regulations* and has sold the eligible livestock, any fed livestock competitive market adjustment payment that the applicant is eligible for must be paid to the lender who provided that loan in an amount required to fully pay that loan obligation.

(2) If all outstanding loan obligations mentioned in subsection (1) have been repaid as a result of making a payment pursuant to that subsection, any remaining amount of the fed livestock competitive market adjustment payment that the applicant is eligible for is to be paid to the applicant.

17 Oct 2003 SR 102/2003 s13.

Restrictions on transfer or assignment of assistance payments

20.7 No transfer or assignment of a fed livestock competitive market adjustment payment is valid.

17 Oct 2003 SR 102/2003 s13.

PART V.2

Cull Animal Program

Registration for cull animal payment

20.8(1) Subject to subsection (2), a breeder seeking a cull animal payment must register with the minister on or before March 12, 2004 the number of eligible livestock owned by the breeder as of September 1, 2003.

(2) Subsection (1) does not apply to a registration with respect to which:

- (a) the breeder has requested a reconsideration pursuant to section 23; and
- (b) if a review committee has been established, the review committee has recommended to the minister that the registration be exempted from subsection (1).

30 Jan 2004 SR 2/2004 s13; 2 Apr 2004 SR 12/2004 s5.

Registration information for cull animal payment

20.81(1) A breeder who wishes to register for a cull animal payment must apply on a registration form supplied by the minister.

(2) On a registration form submitted pursuant to subsection (1), the registrant must:

- (a) specify the number of eligible livestock that are the subject of the registration;
- (b) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the registrant was the owner, as of September 1, 2003, of the eligible livestock that are the subject of the registration;

- (c) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the livestock that are the subject of the registration are eligible livestock;
 - (d) declare that no other request for assistance has been made or is to be made for the eligible livestock, that are the subject of the registration, pursuant to any other, similar government program offered by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock;
 - (e) provide the minister with any evidence that the minister may require to determine, to the satisfaction of the minister, the following:
 - (i) the registrant's province or territory of residency and, if appropriate, the registrant's age;
 - (ii) the registrant's compliance with these regulations;
 - (iii) the registrant's eligibility for a cull animal payment;
 - (iv) the amount of any cull animal payment to be paid to the registrant; and
 - (f) provide the minister with any evidence or information in addition to that mentioned in clauses (a) to (e) that the minister may require for the purposes of:
 - (i) substantiating the registrant's eligibility;
 - (ii) determining the amount of a cull animal payment to the registrant;
 - (iii) verifying the registrant's compliance with these regulations; or
 - (iv) administering the cull animal payment.
- (3) If the registrant is a corporation, co-operative, partnership, communal organization or Indian band, for the purposes of verifying residency and compliance with these regulations, the registrant on its registration form must provide:
- (a) the names of its shareholders, partners or members; and
 - (b) evidence respecting the shareholders, partners or members that the minister may require to determine the eligibility of the registrant for a cull animal payment.

Time limit for submitting registrations under cull animal program

20.82(1) Subject to subsection (2), a registration must be received by the minister on or before March 12, 2004 or, in the case of a registration that is mailed, must be postmarked on or before March 12, 2004.

(2) The minister may consider a registration received or postmarked after March 12, 2004 if:

(a) the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the registration to have been received or postmarked on or before March 12, 2004; or

(b) a review committee has been established, the review committee determines that extenuating circumstances exist and recommends to the minister that the registration be considered.

30 Jan 2004 SR 2/2004 s13; 2 Apr 2004 SR 12/
2004 s6.

Approval of registration for cull animal payment

20.83(1) Subject to subsections (2) and (3) and section 21, if the minister is satisfied that a registrant meets the eligibility requirements set out in these regulations and has complied with the regulations, the minister may approve a cull animal payment to the registrant.

(2) Not more than one cull animal payment is payable with respect to the same eligible livestock.

(3) If a person has received an assistance payment, a set-aside payment or a fed livestock competitive market adjustment payment for the same eligible livestock, that person is not entitled to receive a cull animal payment.

(4) A registrant is not entitled to receive any cull animal payment with respect to eligible livestock that are the subject of a registration if the registrant has applied for or received any payment with respect to the eligible livestock pursuant to any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock.

(5) Notwithstanding subsection (3), a registrant may receive a cull animal payment and a fed livestock competitive market adjustment payment for elk and deer.

30 Jan 2004 SR 2/2004 s13.

Amount and terms of cull animal payment

20.84(1) The amount of the Saskatchewan component of a registrant's approved cull animal payment is the amount APS calculated in accordance with the following formula:

$$\text{APS} = \text{EL} \times \text{CP} \times \text{P}$$

where:

EL is the number of eligible livestock;

CP is the relevant cull percentage mentioned in subsection (3);

P is the payment mentioned in subsection (2).

(2) The maximum amount of the Saskatchewan component of the cull animal payment per head of eligible livestock that may be paid is the following for each class of eligible livestock:

- (a) with respect to beef, dairy and bison cows and bulls, \$128;
- (b) with respect to elk, \$64;
- (c) with respect to sheep and goats, \$26;
- (d) with respect to caribou, reindeer, mule deer, white-tailed deer and fallow deer, \$32.

(3) For the purposes of subsection (1), the relevant cull percentage is:

- (a) for beef cows and bulls, 8%;
- (b) for dairy cows and bulls, 16%;
- (c) for ewes and rams, 12%;
- (d) for bison cows and bulls, 8%;
- (e) for goats, 12%;
- (f) for caribou, 12%;
- (g) for reindeer, 12%;
- (h) for elk, 8%;
- (i) for mule deer, 12%;
- (j) for white-tailed deer, 12%;
- (k) for fallow deer, 12%.

The federal component of the cull animal payment

20.841(1) The amount of the federal component of a registrant's approved cull animal payment is the amount APF calculated in accordance with the following formula:

$$\text{APF} = \text{EL} \times \text{CP} \times \text{P}$$

where:

EL is the number of eligible livestock;

CP is the relevant cull percentage mentioned in subsection (3);

P is the payment determined by the minister in accordance with any agreement made pursuant to subsection 22(2) of the Act to the maximum mentioned in subsection (2).

(2) The maximum amount of the federal component of the cull animal payment per head of eligible livestock that may be paid is the following for each class of eligible livestock:

- (a) with respect to beef, dairy and bison, \$192;
- (b) with respect to elk, \$96;
- (c) with respect to sheep and goats, \$38;
- (d) with respect to caribou, reindeer, mule deer, white-tailed deer and fallow deer, \$48.

(3) For the purposes of subsection (1), the relevant cull percentage is:

- (a) for beef cows and bulls, 8%;
- (b) for dairy cows and bulls, 16%;
- (c) for ewes and rams, 12%;
- (d) for bison cows and bulls, 8%;
- (e) for goats, 12%;
- (f) for caribou, 12%;
- (g) for reindeer, 12%;
- (h) for elk, 8%;
- (i) for mule deer, 12%;
- (j) for white-tailed deer, 12%;
- (k) for fallow deer, 12%.

(4) If a producer has registered more male than female animals of the same species and the number of male animals is used to determine the number of eligible livestock, then the cull percentages mentioned in subsection (3) will be used for the male animals.

2 Apr 2004 SR 12/2004 s8.

Restrictions on transfer or assignment of assistance payments

20.85 No transfer or assignment of a cull animal payment is valid.

30 Jan 2004 SR 2/2004 s13.

PART V.3
Fed Cattle Set-aside Program

Application for fed cattle set-aside payment

20.86(1) A feeder who wishes to apply for a fed cattle set-aside payment must apply to the minister on an application form supplied by the minister.

(2) On an application form submitted pursuant to subsection (1), the applicant must:

(a) declare that he or she is the owner of the eligible livestock that are the subject of the application;

(b) specify the number of eligible livestock that are the subject of the application and the total net live weight of those eligible livestock;

(c) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the livestock mentioned in the application are eligible livestock;

(d) declare that no other application for assistance has been made or is to be made during the same set-aside period for the eligible livestock that are the subject of the application pursuant to any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock;

(e) provide the minister with any evidence that the minister may require to determine, to the satisfaction of the minister, the following:

(i) the applicant's province or territory of residency and, if appropriate, the applicant's age;

(ii) the applicant's compliance with these regulations;

(iii) the applicant's eligibility for a fed cattle set-aside payment; and

(iv) the amount of any fed cattle set-aside payment to be paid to the applicant; and

(f) provide the minister with any evidence or information in addition to that mentioned in clauses (a) to (e) that the minister may require for the purposes of:

(i) substantiating the applicant's eligibility;

(ii) determining the amount of a fed cattle set-aside payment to the applicant;

(iii) verifying the applicant's compliance with these regulations; or

(iv) administering the fed cattle set-aside program.

(3) If the applicant is a corporation, co-operative, partnership, communal organization or Indian band, for the purposes of verifying residency and compliance with these regulations, the applicant on its application must provide, if requested by the minister:

- (a) the names of its shareholders, partners or members; and
- (b) evidence respecting the shareholders, partners or members that the minister may require to determine the eligibility of the applicant for a fed cattle set-aside payment.

17 Dec 2004 SR 117/2004 s7.

Time limit for submitting applications under fed cattle set-aside program

20.87(1) Subject to subsection (2), an application must be received by the minister or postmarked within seven days after the feeder is notified that the feeder's eligible livestock are accepted into the program.

(2) The minister may consider an application received or postmarked after the seven-day period if:

- (a) the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been received or postmarked within the seven-day period; or
- (b) a review committee has been established and the review committee determines that extenuating circumstances exist and recommends to the minister that the application be considered.

17 Dec 2004 SR 117/2004 s7.

Approval of application for fed cattle set-aside payment

20.88(1) Subject to subsections (2) and (3) and section 21, if the minister is satisfied that an applicant meets the eligibility requirements set out in these regulations and has complied with these regulations, the minister may approve a fed cattle set-aside payment to the applicant.

(2) Not more than one fed cattle set-aside payment is payable with respect to the same eligible livestock in the same set-aside period.

(3) An applicant is not entitled to receive any fed cattle set-aside payments during the same set-aside period with respect to eligible livestock that are the subject of an application if the applicant has applied for or received any payment with respect to the eligible livestock pursuant to any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock.

17 Dec 2004 SR 117/2004 s7.

Amount and terms of fed cattle set-aside payment

20.89(1) The amount of an applicant's fed cattle set-aside payment is the amount AP calculated in accordance with the following formula:

$$AP = TEL \times EB \times N$$

where:

TEL is the total number of eligible livestock;

EB is the enrolled bid for the set-aside period; and

N is the number of days the eligible livestock are set-aside as determined in accordance with clause 2(2)(f).

(2) As a condition of receiving a fed cattle set-aside payment, the applicant must agree:

- (a) to tag the eligible livestock in the manner required by the minister; and
- (b) to withhold the eligible livestock from sale and slaughter for a period established in accordance with clause 2(2)(f) starting on the day the feeder was advised the enrolled bid was accepted.

(3) Any fed cattle set-aside payment to be paid is to be paid after the set-aside period.

(4) The minister may impose any additional terms and conditions on a fed cattle set-aside payment that the minister considers appropriate.

(5) No person who is the subject of terms or conditions imposed pursuant to subsection (4) shall fail to comply with any term or condition.

(6) Failure to comply with these regulations may result, at the minister's discretion, in forfeit of any or all entitlement to payment under the fed cattle set-aside program.

(7) The set-aside period ends and no further payments will be made as of the date confirmed by the minister that the Canada/United States border is re-opened to the export of live cattle of up to 30 months of age at the time of sale, pursuant to subsection 2(3).

(8) No applicant is entitled to payment under the fed cattle set-aside program if the moneys in the account have been fully utilized pursuant to subsection 21(1).

17 Dec 2004 SR 117/2004 s7.

Restrictions on transfer or assignment of fed cattle set-aside payments

20.9(1) No transfer or assignment of a fed cattle set-aside payment is valid unless it has been granted a prior written approval by the minister.

(2) An applicant who wishes to transfer or assign a fed cattle set-aside payment shall:

- (a) apply for approval to the minister on a form provided by the minister; and
- (b) supply the minister with any additional information that the minister may reasonably require to determine whether or not to approve the transfer or assignment.

- (3) The minister may refuse to approve more than one transfer or assignment of a fed cattle set-aside payment.
- (4) If the minister approves a transfer or assignment, the minister may impose any terms and conditions that the minister considers appropriate on the approval.
- (5) No person who is subject to an approval granted pursuant to this section shall fail to comply with any term or condition imposed by the minister on the approval.
- (6) Notwithstanding that the minister has approved a transfer or assignment of a fed cattle set-aside payment pursuant to this section, the minister may deduct or set-off from the fed cattle set-aside payment the amount of any debt of, or other moneys owing by, the applicant to whom the fed cattle set-aside payment is payable to:
 - (a) the Crown in right of Canada; or
 - (b) the Crown in right of Saskatchewan.

17 Dec 2004 SR 117/2004 s7.

PART V.4 **Feeder Calf Set-aside Program**

Application for feeder calf set-aside payment

- 20.91(1)** A feeder who wishes to apply for a feeder calf set-aside payment must apply to the minister on an application form supplied by the minister.
- (2) On an application form submitted pursuant to subsection (1), the applicant must:
 - (a) specify the number of eligible livestock that are owned by the applicant as of December 1, 2004;
 - (b) specify the number of beef cows that calved or will calve during 2004 while owned by the applicant;
 - (c) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the applicant is the owner of the eligible livestock that are the subject of the application;
 - (d) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the livestock mentioned in the application are eligible livestock;
 - (e) declare that no other application for assistance has been made or is to be made for the eligible livestock that are the subject of the application pursuant to any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock;

- (f) provide the minister with any evidence that the minister may require to determine, to the satisfaction of the minister, the following:
 - (i) the applicant's province or territory of residency and, if appropriate, the applicant's age;
 - (ii) the applicant's compliance with these regulations;
 - (iii) the applicant's eligibility for a feeder calf set-aside payment; and
 - (iv) the amount of any feeder calf set-aside payment to be paid to the applicant; and
 - (g) provide the minister with any evidence or information in addition to that mentioned in clauses (a) to (f) that the minister may require for the purposes of:
 - (i) substantiating the applicant's eligibility;
 - (ii) determining the amount of a feeder calf set-aside payment to the applicant;
 - (iii) verifying the applicant's compliance with these regulations; or
 - (iv) administering the feeder calf set-aside program.
- (3) If the applicant is a corporation, co-operative, partnership, communal organization or Indian band, for the purposes of verifying residency and compliance with these regulations, the applicant on its application must provide, if requested by the minister:
- (a) the names of its shareholders, partners or members; and
 - (b) evidence respecting the shareholders, partners or members that the minister may require to determine the eligibility of the applicant for a feeder calf set-aside payment.

17 Dec 2004 SR 117/2004 s7.

Time limit for submitting applications under feeder calf set-aside program

20.92(1) Subject to subsection (2), an application must be received by the minister on or before December 15, 2004 or, in the case of an application that is mailed, must be postmarked on or before December 15, 2004.

(2) The minister may consider an application received or postmarked after December 15, 2004 if:

- (a) the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been received or postmarked on or before December 15, 2004; or
- (b) a review committee has been established and the review committee determines that extenuating circumstances exist and recommends to the minister that the application be considered.

17 Dec 2004 SR 117/2004 s7.

Approval of application for a feeder calf set-aside payment

20.93(1) Subject to subsections (2) and (3) and section 21, if the minister is satisfied that an applicant meets the eligibility requirements set out in these regulations and has complied with these regulations, the minister may approve a feeder calf set-aside payment to the applicant.

(2) Not more than one feeder calf set-aside payment is payable with respect to the same eligible livestock.

(3) An applicant is not entitled to receive any feeder calf set-aside payments with respect to eligible livestock that are the subject of an application if the applicant has applied for or received any payment with respect to the eligible livestock pursuant to any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock.

17 Dec 2004 SR 117/2004 s7.

Amount and terms of feeder calf set-aside payment

20.94(1) For an applicant applying as a beef cow owner, the amount of the applicant's feeder calf set-aside payment is the amount P calculated in accordance with the following formulas:

(a) for an October 1, 2005 set-aside period:

$$P = (\text{NEL} \times 0.30) \times \$160$$

where NEL is the number of beef cows owned by the applicant that calved or will calve in 2004; and

(b) for a January 1, 2006 set-aside period:

$$P = (\text{NEL} \times 0.30) \times \$200$$

where NEL is the number of beef cows owned by the applicant that calved or will calve in 2004.

(2) For an applicant applying as a backgrounder, the amount of the applicant's feeder calf set-aside payment is the amount P calculated in accordance with the following formulas:

(a) for an October 1, 2005 set-aside period:

$$P = (\text{NEL} \times \text{PP}) \times \$160$$

where:

NEL is the number of Saskatchewan beef calves that are eligible livestock owned by the applicant that were born on or after January 1, 2004 and on or before December 1, 2004; and

PP is a prorated percentage determined by the minister; and

- (b) for a January 1, 2006 set-aside period:

$$P = (\text{NEL} \times \text{PP}) \times \$200$$

where:

NEL is the number of Saskatchewan beef calves that are eligible livestock owned by the applicant that were born on or after January 1, 2004 and on or before December 1, 2004; and

PP is a prorated percentage determined by the minister.

- (3) As a condition of receiving a feeder calf set-aside payment, the applicant must agree:

(a) if applying as a beef cow owner, to tag the number of eligible livestock equal to $\text{NEL} \times 30\%$ in the manner required by the minister;

(b) if applying as a backgrounder, to tag the number of eligible livestock as determined by the minister;

(c) to maintain ownership of the eligible livestock until the earlier of March 31, 2005 or a date set by the minister;

(d) to apply as either a beef cow owner or backgrounder whichever will result in a higher number of beef calves that are eligible livestock enrolled in the program; and

(e) to either:

(i) hold the livestock from slaughter until whichever of October 1, 2005 or January 1, 2006 the applicant chose pursuant to subparagraph 2(2)(g)(iii)(B)(I); or

(ii) if the eligible livestock are to be sold to a purchaser on or after March 31, 2005:

(A) execute a written purchase contract, in a form acceptable to the minister, with the purchaser;

(B) include in the purchase contract mentioned in paragraph (A) a condition that the purchaser must withhold the eligible livestock from slaughter until whichever of October 1, 2005 or January 1, 2006 the applicant chose pursuant to subparagraph 2(2)(g)(iii)(B)(I); and

(C) forward an executed copy of the purchase contract mentioned in subclause (A) to the minister within five days after executing the purchase contract.

- (4) The minister may impose any terms and conditions on a feeder calf set-aside payment that the minister considers appropriate.

- (5) No person who is the subject of terms or conditions imposed pursuant to subsection (4) shall fail to comply with any term or condition.

(6) Failure to comply with these regulations may result, at the minister's discretion, in forfeit of any or all entitlement to payment under the feeder calf set-aside program.

(7) The set-aside period ends and no further payments will be made as of the date confirmed by the minister that the Canada/United States border is re-opened to the export of live cattle of up to 30 months of age at the time of sale, pursuant to subsection 2(3).

(8) No applicant is entitled to payment under the feeder calf set-aside program if the moneys in the account have been fully utilized pursuant to subsection 21(1).

17 Dec 2004 SR 117/2004 s7.

No transfer or assignment of feeder calf set-aside payments

20.95 No transfer or assignment of a feeder calf set-aside payment is valid.

17 Dec 2004 SR 117/2004 s7.

PART VI
General

Termination if moneys fully utilized

21(1) If the minister determines that moneys in the account have been fully utilized, the minister may refuse to approve any application pursuant to Part III, IV, V, V.1, V.3 or V.4 or a registration pursuant to Part V.2 and the applicant or registrant is not eligible to receive any assistance payment, incentive payment, set-aside payment, fed livestock competitive market adjustment payment, fed cattle set-aside payment, feeder calf set-aside payment or cull animal payment with respect to that application or registration.

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

- (a) to be posted on the Internet website of the department over which the minister presides; and
- (b) to be made public in any other manner that the minister considers appropriate.

22 Aug 2003 cF-8.001 Reg 25 s21; 17 Oct 2003
SR 102/2003 s14; 30 Jan 2004 SR 2/2004 s14;
17 Dec 2004 SR 117/2004 s8.

Conditions of participating in program

22(1) As a condition of participating in the assistance program, incentive program, set-aside program, fed livestock competitive market adjustment program, fed cattle set-aside program, feeder calf set-aside program or cull animal program and receiving an assistance payment, incentive payment, set-aside payment, fed livestock competitive market adjustment payment, fed cattle set-aside payment, feeder calf set-aside payment or cull animal payment an applicant or registrant shall:

- (a) grant access, at any reasonable time, to land on which the applicant or registrant conducts his or her livestock or packing plant operations to any persons designated by the minister to verify:
 - (i) information required to substantiate the applicant's or registrant's eligibility;
 - (ii) the amount of an assistance payment, incentive payment, set-aside payment, fed livestock competitive market adjustment payment, fed cattle set-aside payment, feeder calf set-aside payment or cull animal payment that may be paid to the applicant or registrant; or
 - (iii) the applicant's or registrant'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 or registrant's livestock or packing plant operations;
 - (c) consent to the minister sharing any information provided by the applicant or registrant and any information respecting any assistance payment, incentive payment, set-aside payment, fed livestock competitive market adjustment payment, fed cattle set-aside payment, feeder calf set-aside payment or cull animal payment paid to the applicant or registrant with any other person, agency, organization, association, institution or body; and
 - (d) provide to the minister, on the minister's request and within the period set by the minister, the applicant's or registrant's income tax records for one or more years, or any other information that the minister may require, to verify:
 - (i) the applicant's or registrant's eligibility;
 - (ii) the amount of an assistance payment, incentive payment, set-aside payment, fed livestock competitive market adjustment payment, fed cattle set-aside payment, feeder calf set-aside payment or cull animal payment that may be paid to the applicant or registrant; or
 - (iii) the applicant's or registrant's compliance with these regulations.
- (2) No applicant or registrant 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, registration or in response to any request for information from the minister.

Reconsideration

23(1) Within 90 days after an applicant or registrant receives written notice of the minister's decision with respect to his or her application or registration for an assistance payment, incentive payment, set-aside payment, fed livestock competitive market adjustment payment, fed cattle set-aside payment, feeder calf set-aside payment or cull animal payment, the applicant or registrant may:

- (a) request, in writing, that the minister reconsider the decision; and
 - (b) along with the written request mentioned in clause (a), provide the minister with any further information that the applicant or registrant considers relevant with respect to the application or registration.
- (2) If a review committee has been established, the minister may refer any request pursuant to subsection (1) to the review committee for a recommendation as to whether the minister's initial decision was made in accordance with these regulations.
- (3) On receipt of a request pursuant to subsection (1) and after considering any recommendation of the review committee made pursuant to subsection (2), the minister shall:
- (a) reconsider the minister's initial decision;
 - (b) confirm, reverse or vary that decision; and
 - (c) notify the applicant or registrant in writing of the reconsideration.
- (4) The minister's decision pursuant to subsection (3) is final.
- (5) Nothing in these regulations entitles an applicant or registrant to a hearing before the minister or the review committee.

17 Oct 2003 SR 102/2003 s15; 30 Jan 2004 SR
2/2004 s16; 17 Dec 2004 SR 117/2004 s10.

Overpayment

24(1) The minister may declare all or any assistance payments, incentive payments, set-aside payments, fed livestock competitive market adjustment payments, fed cattle set-aside payments, feeder calf set-aside payments or cull animal payments made to an applicant or registrant pursuant to these regulations to be an overpayment if, in the minister's opinion:

- (a) the applicant or registrant 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 or registrant has omitted to make a statement or to provide any information or document that results in a statement with respect to a material fact being misleading; or
 - (c) the applicant or registrant has failed to comply with these regulations.
- (2) If the minister declares an assistance payment, incentive payment, set-aside payment, fed livestock competitive market adjustment payment, fed cattle set-aside payment, feeder calf set-aside payment or cull animal payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Crown in right of Saskatchewan and may be recovered from the applicant or registrant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

17 Oct 2003 SR 102/2003 s15; 30 Jan 2004 SR
2/2004 s17; 17 Dec 2004 SR 117/2004 s11.

PART VII
Repeal and Coming into Force

R.R.S. c.F-8.001 Reg 24 repealed

25 *The Canada Saskatchewan BSE Recovery Program Regulations* are repealed.

22 Aug 2003 cF-8.001 Reg 25 s25.

Coming into force

26 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

22 Aug 2003 cF-8.001 Reg 25 s26.