

The Cattle Development Plan Regulations

being

Chapter A-15.21 Reg 8 (effective January 29, 2009) as amended by Saskatchewan Regulations [83/2010](#) and [51/2024](#).

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 A-15.21 REG 8

The Agri-Food Act, 2004

PART I

Title and Interpretation

Title

- 1 These regulations may be cited as *The Cattle Development Plan Regulations*.

Interpretation

- 2(1) In these regulations:

- (a) **“abattoir”** means a site that is a registered establishment:
 - (i) where animals are slaughtered for the purpose of processing meat into beef products for human consumption; and
 - (ii) where slaughtered animals are stored;
- (b) **“abattoir operator”** means a person who operates an abattoir;
- (c) **“Act”** means *The Agri-Food Act, 2004*;
- (d) **“beef products”** means beef and edible products produced in whole or in part from beef;
- (e) **“business day”** means a day other than a Saturday, Sunday or holiday;
- (f) **“buyer”** means any person who buys cattle and includes a livestock dealer, a livestock agent and an abattoir operator;
- (g) **“cattle”** means any animal of the genus species *Bos taurus* or *Bos indicus*;
- (h) **“cattle plan”** means the Cattle Development Plan established pursuant to section 3;
- (i) **“cattle producer”** means:
 - (i) a person engaged in or responsible for the production, marketing or production and marketing of cattle but does not include an employee of that person;
 - (ii) a person who is entitled under any agreement:
 - (A) to a share of the cattle produced by a person mentioned in subclause (i); or
 - (B) to a share of the proceeds from the sale of cattle produced by a person mentioned in subclause (i); or
 - (iii) a person who takes possession of any cattle under any form of security or legal proceedings for a debt;

- (j) “**commission**” means the Saskatchewan Cattlemen’s Association established pursuant to section 7;
- (k) **Repealed.** 5 Jly 2024 SR 51/2024 s3.
- (l) “**director**” means a director of the commission elected in accordance with Part VI or appointed pursuant to subsection 7(3) or 34(6);
- (m) “**district**” means a district established pursuant to subsection (4);
- (m.1) “**domestic abattoir**” means an abattoir from which there is no extra provincial trade in cattle and beef products;
- (n) “**federal levies order**” means any Canadian beef cattle marketing levies order, and any amendments to that order, that may be enacted pursuant to the *Farm Products Agencies Act* (Canada) to provide for the imposition of a levy on every head of cattle that a person sells in interprovincial trade;
- (o) “**federal levy**” means the federal levy imposed by the federal levies order;
- (p) “**interprovincial trade**” means any sale of cattle by a person who resides or carries on business in one province of Canada, for delivery to a purchaser in another province of Canada;
- (q) “**levy period**” means the period commencing on August 1 in a year and ending on July 31 of the following year;
- (r) “**livestock agent**” means an agent or representative of a livestock dealer;
- (s) “**livestock dealer**” means a person who is licensed to buy or sell livestock or to offers to buy or sell livestock in Saskatchewan on that person’s own account or on account of some other person;
- (t) “**National Agency**” means the Canadian Beef Cattle Research, Market Development and Promotion Agency established pursuant to the *Farm Products Agencies Act* (Canada);
- (u) “**non-refundable levy**” means the non-refundable portion of the levy established pursuant to section 25.1;
- (v) “**refundable levy**” means the refundable portion of the levy established pursuant to section 25.1;
- (w) “**registered buyer**” means a buyer registered pursuant to section 24 and whose registration has not been suspended or cancelled;
- (x) “**registered cattle producer**” means a cattle producer who:
- (i) is registered with the commission pursuant to section 22 and whose registration has not been suspended or cancelled; and
 - (ii) has paid a levy pursuant to subsection 25.1(1) in the previous levy period for which the cattle producer has not received a refund pursuant to section 25.2;

- (y) “**registered establishment**” means an establishment registered with the Government of Canada for one or more of the following activities:
- (i) the slaughter of food animals;
 - (ii) the processing of meat products;
 - (iii) the inspection of imported or detained meat products requiring refrigeration or freezing;
 - (iv) the packaging and labelling of meat products;
 - (v) the refrigeration, freezing and storage of meat products;
 - (vi) the storage of meat products not requiring refrigeration or freezing.
- (2) Notwithstanding that a registered cattle producer may have production or marketing facilities in more than one district, no registered cattle producer is entitled to be registered in more than one district.
- (3) If a registered cattle producer has production or marketing facilities in more than one district, the registered cattle producer is deemed to be registered in the district in which that registered cattle producer:
- (a) in the case of a registered cattle producer that is an individual, has his or her primary residence; and
 - (b) in the case of a registered cattle producer that is not an individual, has its head office.
- (4) Districts 1, 2, 3a, 3b, 4, 5, 6, 7, 8, 9a and 9b are established for the purposes of these regulations with the boundaries as set out in the map found in the Appendix.

6 Feb 2009 cA-15.21 Reg 8 s2; 13 Aug 2010 SR
83/2010 s3; 5 Jly 2024 SR 51/2024 s3.

PART II Cattle Plan

Cattle plan established

- 3** The Cattle Development Plan is established.

6 Feb 2009 cA-15.21 Reg 8 s3.

Application

- 4(1) Subject to subsection (2) and to any exemptions made by order of the commission, the cattle plan and the orders of the commission made pursuant to the cattle plan apply:
- (a) throughout Saskatchewan; and
 - (b) to all persons engaged in the production, marketing or production and marketing of cattle in Saskatchewan.

(2) These regulations and the cattle plan do not apply to any person who produces, markets or produces and markets cattle as part of a program that the commission is satisfied is a 4-H program as defined in *The 4-H Foundation Act*.

(3) Section 25.1 does not apply to a livestock dealer or a livestock agent who, in the ordinary course of business as a livestock dealer or a livestock agent as the case may be, feeds or owns cattle for a period of not more than seven days.

6 Feb 2009 cA-15.21 Reg 8 s4; 13 Aug 2010 SR 83/2010 s4.

Purpose

5(1) The purpose of the cattle plan is to promote and develop the cattle industry in Saskatchewan.

(2) Without limiting the generality of subsection (1), the specific purposes of the cattle plan are:

- (a) to assist in the development and promotion of cattle and beef products in the domestic and international marketplaces;
- (b) to conduct and encourage research on production, market development, processing and consumption of cattle and beef products;
- (c) to advise governments on matters pertaining to cattle research and industry development;
- (d) to gather, compile and distribute information related to the production, consumption and marketing of cattle and beef products;
- (e) to encourage the production of high-quality cattle and beef products;
- (f) to promote communication within the cattle industry;
- (g) to initiate and implement advertising programs, sales promotion programs and consumer education programs to expand awareness of and demand for cattle and beef products;
- (h) to work in co-operation with any persons or organizations that have objectives similar to those of the cattle plan; and
- (i) to establish a system of collecting levies on the production, marketing or production and marketing of cattle for the purpose of carrying out the objectives of the cattle plan.

6 Feb 2009 cA-15.21 Reg 8 s5; 13 Aug 2010 SR 83/2010 s5.

6 Repealed. 13 Aug 2010 SR 83/2010 s6.

PART III
Commission

Commission

- 7(1) The Saskatchewan Cattlemen's Association is established consisting of a maximum of sixteen directors.
- (2) Unless the number of directors is otherwise set by an order of the commission, the commission consists of:
- (a) subject to clause (3)(b), eleven directors elected in accordance with Part VI, one director to be elected from each district;
 - (b) the immediate past chairperson of the commission; and
 - (c) up to four directors appointed in accordance with clause (3)(a).
- (3) The commission:
- (a) may appoint:
 - (i) two directors nominated from the Saskatchewan Stock Growers Association; and
 - (ii) two directors nominated from the Saskatchewan Cattle Feeders Association; and
 - (b) may appoint the number of registered cattle producers that meet the nomination requirements set out in subsection 29(1), as directors that the commission considers necessary:
 - (i) if fewer than 11 directors are elected pursuant to Part VI; or
 - (ii) if fewer than the number of directors set pursuant to subsection (2) are elected pursuant to Part VI.
- (3.1) A vacancy in the office of a director of the commission does not impair the power of the remaining directors of the commission to act.
- (4) The commission shall administer the cattle plan.
- (5) The commission may, by order, alter districts and district boundaries set out in the Appendix for the purposes of administering the cattle plan.

6 Feb 2009 cA-15.21 Reg 8 s7; 13 Aug 2010 SR
83/2010 s7; 5 Jly 2024 SR 51/2024 s4.

Powers of commission

- 8(1) Subject to the other provisions of these regulations, the commission may exercise the following powers that are set out in subsection 8(1) of the Act:
- (a) the power to carry out educational, research and developmental programs related to cattle and the cattle industry;
 - (b) the power to require any or all persons engaged in the production, marketing or production and marketing of cattle to register with the commission;

- (c) the power to set and collect registration fees and charges for services rendered by the commission from any person engaged in the production, marketing or production and marketing of cattle;
- (d) the power to set and collect a levy from any person engaged in the production, marketing or production and marketing of cattle;
- (e) the power to categorize into groups persons engaged in the production, marketing or production and marketing of cattle for the purpose of setting and collecting the fees, charges or levies mentioned in clauses (c) and (d);
- (f) the power to set and collect penalties from any person who:
 - (i) is engaged in the production, marketing or production and marketing of cattle; and
 - (ii) contravenes an order of the commission;
- (g) the power to recover any unpaid fees, charges, levies or penalties mentioned in clause (c), (d) or (f) by an action in a court of competent jurisdiction;
- (h) the power to require any person engaged in the production, marketing or production and marketing of cattle to furnish the commission with any information or records relating to that production or marketing that the commission considers necessary;
- (i) the power to market, grade or insure cattle, either as principal or agent;
- (j) the power to:
 - (i) employ any officers and employees that it considers necessary to administer the cattle plan; and
 - (ii) determine the duties, conditions of employment and remuneration of its officers and employees;
- (k) the power to establish or support a group insurance plan, a pension plan, or any other employee benefit programs for its officers and employees mentioned in clause (j) and their dependants;
- (l) the power to use any moneys received by the commission to carry out the purposes of the commission's plan and to pay the expenses of the commission;
- (m) the power to borrow, raise or secure the payment of moneys in any manner that the commission considers appropriate for the purpose of administering the cattle plan;
- (n) the power to draw, make, accept, endorse, execute, issue, hypothecate or assign promissory notes, bills of exchange or other negotiable or transferable instruments;
- (o) subject to subsection (3), the power to make grants or loans to any person, organization, agency, institution or body within or outside Saskatchewan, for the purposes of the cattle plan;

- (p) subject to subsection (3), the power to give financial guarantees respecting the indebtedness of any person if the commission considers it necessary or advisable for the purposes of the cattle plan;
- (q) the power to purchase, take on lease or exchange or otherwise acquire real and personal property related to the business of the commission, and to insure, sell or otherwise dispose of any of its property;
- (r) the power to grant a mortgage or security interest in any of the commission's real or personal property;
- (s) subject to section 35 of the Act, the power to enter into any agreement with any person, agency, organization, institution or body within or outside Saskatchewan for any purpose related to the exercise of any of the powers or the carrying out of any of the duties of the commission in relation to the cattle plan;
- (t) the power to:
 - (i) require any person who owes moneys to a cattle producer with respect to the sale by the producer of cattle to pay the moneys to the commission; and
 - (ii) distribute the moneys paid to the commission pursuant to subclause (i), in the manner determined by the commission, to the cattle producer to whom the moneys are owing;
- (u) the power to:
 - (i) purchase or acquire by any other means, in the open market or otherwise, any securities of any corporation; and
 - (ii) hold membership in any corporation;
- (v) the power to:
 - (i) hold, sell, transfer or otherwise deal with any of the securities mentioned in clause (u); and
 - (ii) exercise any rights, including the right to vote, as:
 - (A) an owner of the securities mentioned in clause (u); or
 - (B) a member;
- (w) the power to register a business name pursuant to *The Business Names Registration Act*;
- (x) the power to specify the manner in which remuneration and reimbursement for expenses of the members of the commission are to be determined and paid;
- (y) the power to set the number of directors to be elected to the commission and the terms of office of those directors;
- (z) the power to develop, deliver or develop and deliver traceability, animal welfare and food safety strategies, programs and initiatives.

(2) The commission shall not regulate or control in any way the production, marketing or production and marketing of cattle.

(3) Neither the sum of the loans mentioned in clause (1)(o), nor the sum of the financial guarantees mentioned in clause (1)(p), shall exceed 10 per cent of the commission's current assets as reported in the audited financial statements in the commission's most recent annual report at the time the loan or financial guarantee is made or given.

6 Feb 2009 cA-15.21 Reg 8 s8; 13 Aug 2010 SR 83/2010 s8; 5 Jly 2024 SR 51/2024 s5.

Agreements with National Agency

8.1(1) Subject to subsection (2), the commission may enter into any agreement with the National Agency for the following purposes:

- (a) to promote the marketing and production of cattle and beef products for the purposes of interprovincial trade, export trade and import trade;
 - (b) to conduct and promote research activities related to cattle and beef products to further the purposes mentioned in clause (a).
- (2) Any agreement entered into pursuant to subsection (1) must specify:
- (a) the amount to be remitted by the commission with respect to each head of cattle sold; and
 - (b) the timing of remittances by the commission to the National Agency.
- (3) The commission may enter into any agreement with the National Agency that provides for:
- (a) the collection by the commission on behalf of the National Agency of the federal levies, and the remittance of those federal levies by the commission to the National Agency; and
 - (b) any other matters incidental to the administration of the federal levies order.

13 Aug 2010 SR 83/2010 s9.

Books and records

9(1) The commission shall:

- (a) maintain any books and records that may be required for the administration of the cattle plan; and
 - (b) keep those books and records open for inspection by the council at any reasonable time.
- (2) The commission shall maintain a registered office and head office in Saskatchewan.

- (3) The commission shall prepare an annual report containing:
 - (a) a copy of the audited financial statement of the commission for its previous fiscal year;
 - (b) a description of:
 - (i) the state of the industry; and
 - (ii) the activities of the commission for its previous fiscal year; and
 - (c) a list of the names and cities, towns, villages or other municipalities of the directors of the commission.
- (4) The commission shall make the annual report available:
 - (a) to the council;
 - (b) at the annual general meeting of registered cattle producers; and
 - (c) on request to any cattle producer.

6 Feb 2009 cA-15.21 Reg 8 s9; 13 Aug 2010 SR 83/2010 s10; 5 Jly 2024 SR 51/2024 s6.

Appointment of auditor

- 10(1)** The registered cattle producers:
 - (a) shall, at each annual general meeting of registered cattle producers, appoint an auditor to audit the books, records and financial statements of the commission for the current fiscal year; and
 - (b) may, at any special general meeting, appoint an auditor to audit the books, records and financial statements of the commission for the current fiscal year.
- (2) If the registered cattle producers fail to appoint an auditor pursuant to clause (1)(a) for a fiscal year, the council shall appoint an auditor to audit the books, records and financial statements of the commission for that fiscal year.
- (3) Any person appointed as auditor pursuant to this section must:
 - (a) be independent of:
 - (i) the commission; and
 - (ii) the directors and officers of the commission; and
 - (b) be a member in good standing of a recognized accounting profession that is regulated by an Act.

6 Feb 2009 cA-15.21 Reg 8 s10.

Committees

- 11(1)** The commission may appoint any committee that it considers necessary or desirable for the proper operation of the cattle plan.
- (2) The members of a committee appointed pursuant to this section are entitled to any remuneration and reimbursement for expenses that the commission may determine.

6 Feb 2009 cA-15.21 Reg 8 s11.

Chairperson and vice-chairperson

12(1) The commission shall elect a chairperson and vice-chairperson from among the directors of the commission at their first meeting in each year after new directors have been elected or appointed.

(2) The chairperson and vice-chairperson hold office at the pleasure of the commission.

(3) The chairperson, or in the absence of the chairperson the vice-chairperson, shall preside over all meetings of the commission.

6 Feb 2009 cA-15.21 Reg 8 s12.

Quorum

13 For the transaction of business at a duly called meeting of the commission:

(a) a majority of the commission constitutes a quorum; and

(b) a decision of a majority of those directors comprising a quorum is a decision of the commission.

6 Feb 2009 cA-15.21 Reg 8 s13.

Policies re conflict of interest and code of conduct

14 The commission shall establish and maintain:

(a) a conflict of interest policy for the directors; and

(b) a policy respecting a code of conduct for the directors.

6 Feb 2009 cA-15.21 Reg 8 s14; 5 Jly 2024 SR 51/2024 s7.

Conflicts of interest

15(1) No director shall:

(a) fail to disclose to the commission any conflict of interest that the director may have; or

(b) vote on any matter with respect to which the director has any direct or indirect financial interest that is different from the financial interest of other cattle producers.

(2) If the commission is uncertain whether or not a director has a conflict of interest mentioned in clause (1)(a) or (b), the commission must adjourn the matter until the conflict of interest issue is resolved pursuant to the policy mentioned in section 14.

6 Feb 2009 cA-15.21 Reg 8 s15.

Bank accounts

16 The commission may open accounts in the name of the commission in a bank, credit union or trust corporation licensed pursuant to *The Trust and Loan Corporations Act, 1997* and appoint signing officers.

6 Feb 2009 cA-15.21 Reg 8 s16.

Investments

17 The commission may:

- (a) invest any money in its possession or control that is not immediately required for a purpose of the cattle plan or its operations in any security or class of securities authorized for investment of money in the general revenue fund pursuant to *The Financial Administration Act, 1993*; and
- (b) dispose of any investment made pursuant to clause (a) in any manner, on any terms and in any amount that the commission considers expedient.

6 Feb 2009 cA-15.21 Reg 8 s17.

Fiscal year

18 The fiscal year of the commission is the period commencing on August 1 in one year and ending on July 31 in the following year.

6 Feb 2009 cA-15.21 Reg 8 s18.

Financial plan

19 The commission shall prepare and approve a financial plan of its operations at the beginning of each fiscal year.

6 Feb 2009 cA-15.21 Reg 8 s19.

Meetings of registered cattle producers

20(1) An annual general meeting of registered cattle producers:

- (a) is to be held on or before April 1 in each year; and
- (b) is to be held at a place and time determined by the commission.

(2) The commission:

- (a) may call a special general meeting of registered cattle producers at any time; and
- (b) shall call a special general meeting on the written request of not less than 100 registered cattle producers.

(3) The commission shall notify all registered cattle producers, in writing:

- (a) for an annual general meeting of registered cattle producers, of the date, time, location and agenda not less than 30 days before the date on which the annual general meeting commences; and
- (b) for a special general meeting of registered cattle producers, of the date, time, location and agenda not less than 15 days before the date on which the special general meeting commences.

(4) **Repealed.** 13 Aug 2010 SR 83/2010 s11.

(5) **Repealed.** 13 Aug 2010 SR 83/2010 s11.

- (6) Unless otherwise set by an order of the commission, the quorum at an annual general meeting or special general meeting of registered cattle producers is 25 registered producers.
- (7) The commission shall present to the annual general meeting:
- (a) the annual report for the preceding fiscal year;
 - (b) the financial plan it has approved for the current fiscal year; and
 - (c) an outline of programs and activities it has planned for the current fiscal year.
- (8) Any change to the remuneration to be paid to the directors of the commission is to be determined by motion of the commission and approved by a vote of registered cattle producers at the next annual general meeting or special general meeting.
- (9) At an annual or special general meeting, registered cattle producers may debate and take a vote on any questions or resolutions respecting the purposes of the cattle plan.
- (10) One or several registered producers may attend an annual general meeting or special general meeting by means of a telephonic, electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting.
- (11) If all registered producers intend to attend an annual general meeting or special general meeting by the means mentioned in subsection (10), permission from the commission must first be obtained.

6 Feb 2009 cA-15.21 Reg 8 s20; 13 Aug 2010 SR 83/2010 s11; 5 Jly 2024 SR 51/2024 s8.

District meetings

- 21(1)** The commission may, at any time, call a meeting of the registered cattle producers in a district for the purpose of discussing any business placed on the agenda by the commission.
- (2) The commission shall give reasonable notice of a meeting held pursuant to this section to the registered cattle producers in the district.
- (3) Unless otherwise set by an order of the commission, the quorum at a meeting held pursuant to this section is 12 registered cattle producers from the district.

6 Feb 2009 cA-15.21 Reg 8 s21; 5 Jly 2024 SR 51/2024 s9.

Eligibility

- 21.1(1)** In this section, “**family member**” means any of the following with respect to the individual:
- (a) the spouse or person with whom the individual is cohabiting as a spouse;
 - (b) a son or daughter;
 - (c) a parent or legal guardian;
 - (d) a brother or sister;
 - (e) a grandparent;
 - (f) a grandchild;
 - (g) an uncle or aunt;

- (h) a nephew or niece;
 - (i) a cousin;
 - (j) a mother-in-law, father-in-law, sister-in-law or brother-in-law;
 - (k) a person who is related by legal adoption.
- (2) Every registered cattle producer is eligible to vote with respect to any resolution and at an election:
- (a) only in the district in which that registered cattle producer is registered pursuant to subsections 2(2) and (3);
 - (b) in the case of a registered cattle producer that is an individual, only if the registered cattle producer:
 - (i) is at least 18 years of age; and
 - (ii) provides a written declaration to the commission that:
 - (A) states that the individual is at least 18 years of age;
 - (B) confirms the individual's status as a registered cattle producer;
 - (C) states that the individual is voting as an individual registered cattle producer and has not voted and will not vote with respect to the resolution or in the election as a designated representative; and
 - (D) states the individual's name, mailing address, telephone number, and if applicable, the individual's fax number and email address; and
 - (c) in the case of a registered cattle producer that is not an individual:
 - (i) only through a designated representative that is at least 18 years of age; and
 - (ii) only if the designated representative provides a written declaration to the commission that:
 - (A) states that the designated representative is at least 18 years of age;
 - (B) states that the designated representative is appointed by the registered cattle producer;
 - (C) confirms that the cattle producer for whom the designated representative is designated is a registered cattle producer;
 - (D) states that the designated representative is voting as a designated representative and has not voted and will not vote with respect to the resolution or in the election as an individual registered cattle producer; and
 - (E) states respectively the designated representative's and registered cattle producer's full name, mailing address, telephone number, and if applicable, their fax numbers and email addresses.

- (3) If a registered cattle producer is a corporation, partnership or other organization, it must appoint as its representative to vote or hold office on behalf of the registered producer an individual who is:
- (a) a director, partner, shareholder, member, officer or employee of that corporation, partnership or other organization, or a family member of any of those individuals; and
 - (b) involved in the farming operation of the registered producer.
- (4) A registered cattle producer who is an individual may appoint as that individual's representative to vote or hold office on behalf of the registered cattle producer an individual who is:
- (a) an employee or family member of the registered cattle producer; and
 - (b) involved in the farming operation of the registered cattle producer.
- (5) The appointment of a representative pursuant to subsection (3) or (4) must be:
- (a) in writing; and
 - (b) filed with the commission in a form and manner acceptable to the commission.
- (6) A corporation, partnership or other organization is entitled to vote or hold office only through a representative appointed pursuant to subsections (3) and (5).
- (7) After an individual is duly appointed as a representative in accordance with subsections (4) and (5) and until the registered producer or the representative terminates the appointment by filing a notice in writing with the commission:
- (a) the representative is entitled to vote or hold office as the representative of the registered producer and to receive any notice required to be given pursuant to this Part; and
 - (b) the registered producer is not entitled to vote or hold office.
- (8) A representative appointed to vote pursuant to subsection (3) or (4) must, at the time of voting, declare that the representative has been appointed by the registered cattle producer to vote on behalf of the registered cattle producer.
- (9) Except as provided in this section, voting by proxy is prohibited.
- (10) Every registered cattle producer is entitled to one vote.

5 Jly 2024 SR 51/2024 s10.

Service of documents

- 21.2(1)** In addition to the methods of service set out in section 39 of the Act, a notice or profile that is required to be sent pursuant to subsection 20(3), clause 31(2)(b) or section 33 may be sent, at the request of a registered cattle producer, by facsimile or electronic mail to a facsimile number or electronic mail address of a registered cattle producer as recorded in the register of the commission.
- (2) If a notice or profile is sent pursuant to subsection (1), it is deemed to have been received on the next business day after it was sent.

13 Aug 2010 SR 83/2010 s12.

PART IV
Registration

Registration of cattle producers

- 22(1)** Every cattle producer shall register with the commission at the time and in the manner determined by order of the commission.
- (2) The commission shall keep and maintain at its head office a register containing the name and address of every registered cattle producer.
- (3) Registration remains in effect until:
- (a) the registered cattle producer applies for and the commission approves a refund pursuant to section 25.2;
 - (b) the commission has not received a levy payment for two consecutive years;
 - (c) the death of a registered producer who is an individual; or
 - (d) the dissolution of a registered corporation or other registered entity.

6 Feb 2009 cA-15.21 Reg 8 s22; 5 Jly 2024 SR
51/2024 s11.

23 Repealed. 13 Aug 2010 SR 83/2010 s13.

Registration of buyers

- 24(1)** Every buyer shall register with the commission at the time and in the manner determined by order of the commission.
- (2) The commission shall keep and maintain at its head office a register containing the name and address of every registered buyer.

6 Feb 2009 cA-15.21 Reg 8 s24.

Suspension and cancellation of registrations

- 25(1)** The commission may cancel or suspend a registration if the registered buyer or registered cattle producer, as the case may be, has contravened:
- (a) the Act;
 - (b) the cattle plan;
 - (c) these regulations; or
 - (d) an order or direction of the commission.
- (2) The commission shall establish, by order, procedures respecting the cancellation or suspension of a registration pursuant to this section.
- (3) If the commission suspends or cancels a registration pursuant to this section, the commission must advise the registered buyer or registered cattle producer, as the case may be, in writing of its decision.

6 Feb 2009 cA-15.21 Reg 8 s25; 13 Aug 2010 SR
83/2010 s14.

PART IV.1

Levies**Collection of levies**

25.1(1) Every cattle producer engaged in the production, marketing or production and marketing of cattle shall pay to the commission, at the times and in the manner determined by the commission, a levy that is composed of a refundable levy and a non-refundable levy calculated in accordance with this section.

- (2) Subject to subsection (3), the levy mentioned in subsection (1):
 - (a) is to be determined by order of the commission; and
 - (b) is to be based on a fixed rate for every head of cattle produced, marketed or produced and marketed by a cattle producer.
- (3) The commission shall provide registered cattle producers with:
 - (a) an opportunity to discuss the rate of the levy at annual general meetings and special general meetings; and
 - (b) at least 10 business days' notice that the rate of the levy is to be discussed at an annual general meeting or special general meeting.
- (4) The commission may require any buyer to:
 - (a) deduct the levy mentioned in subsection (1), and other fees and charges on cattle levied pursuant to these regulations, from any payment made to a cattle producer; and
 - (b) forward the levy and other fees and charges to the commission.
- (5) The commission may recover in a court of competent jurisdiction the levies, fees and charges mentioned in this section from cattle producers and buyers.
- (6) Cattle producers and buyers are jointly and severally liable for all levies, fees and charges imposed pursuant to this Part.

13 Aug 2010 SR 83/2010 s15.

Refundable levy

25.2(1) The commission shall make a refund of refundable levies only if:

- (a) the commission receives a written request for the refund from the cattle producer with respect to refundable levies paid in a levy period, not later than August 31 following that levy period; and
 - (b) the request has been verified by the commission.
- (2) If the commission receives and verifies a written request for a refund of refundable levies that were paid to the commission by the cattle producer in a levy period, the commission shall make the refund of those levies to the cattle producer not later than October 31 following that levy period.

13 Aug 2010 SR 83/2010 s15.

Remittance of non-refundable levy

25.3 The commission may remit the non-refundable levies collected in accordance with section 25.1 to the National Agency in accordance with any agreement made pursuant to section 8.1.

13 Aug 2010 SR 83/2010 s15.

Collection and remittance of federal levies

25.4 The commission may collect the federal levy imposed pursuant to the federal levies order and may remit those levies to the National Agency in accordance with any agreement made pursuant to section 8.1.

13 Aug 2010 SR 83/2010 s15.

Required notification

25.5 If, for any one fiscal year, 35% or more of the cattle producers representing 35% or more of the refundable levy for that fiscal year request a refund of levies pursuant to subsection 25.2(2), the commission shall immediately notify the council.

13 Aug 2010 SR 83/2010 s15.

PART V Commission Orders

Commission orders

26(1) The chairperson, or in the absence of the chairperson the vice-chairperson, shall sign every order issued by the commission pursuant to section 12 of the Act.

(2) The commission shall number in consecutive order, retain and make available for inspection at its head office by any registered cattle producer, registered buyer or any other person designated by the council, original copies of all orders that have been approved by the council pursuant to section 12 of the Act.

(3) The commission shall:

- (a) cause all orders of the commission to be published in the Gazette and in any other media it considers appropriate; and
- (b) annually review the orders of the commission and consolidate them.

6 Feb 2009 cA-15.21 Reg 8 s26; 13 Aug 2010 SR 83/2010 s16.

PART VI Elections

27 Repealed. 13 Aug 2010 SR 83/2010 s17.

28 Repealed. 13 Aug 2010 SR 83/2010 s18.

Nominations

29(1) A registered cattle producer is eligible to be nominated for election as a director of the commission representing the district in which the registered cattle producer is registered pursuant to subsections 2(2) and (3):

- (a) in the case of a registered cattle producer that is an individual, only if the registered cattle producer:
 - (i) is at least 18 years of age; and
 - (ii) provides a written declaration to the commission that:
 - (A) states that the individual is at least 18 years of age;
 - (B) confirms his or her status as a registered cattle producer; and
 - (C) states his or her full name, mailing address, telephone number, and if applicable, his or her facsimile number and electronic mail address; or
 - (b) in the case of a registered cattle producer that is not an individual:
 - (i) only through a designated representative that is at least 18 years of age; and
 - (ii) only if the designated representative provides a written declaration to the commission that:
 - (A) states that the designated representative is at least 18 years of age;
 - (B) states that he or she is a designated representative appointed by the registered cattle producer;
 - (C) confirms that the cattle producer for whom he or she is the designated representative is a registered cattle producer; and
 - (D) states the designated representative's and registered cattle producer's full name, mailing address, telephone number, and if applicable, their facsimile numbers and electronic mail addresses.
- (2) The commission shall:
- (a) arrange for the conduct of district elections;
 - (b) fix the last date for receipt of nominations for election to the commission; and
 - (c) at least 30 days before the last date for receipt of nominations, notify registered cattle producers that nominations are being accepted for the commission and of the last date for receipt of nominations.
- (3) Every nomination of a candidate for election as a director to represent a district is to:
- (a) be in writing in the form required by the commission;
 - (b) be signed by:
 - (i) two registered cattle producers that are individuals from that district;

- (ii) two designated representatives of registered cattle producers from that district; or
 - (iii) any combination of the persons mentioned in subclauses (i) and (ii) totalling two persons;
 - (c) include a candidate profile, as required by the returning officer; and
 - (d) be delivered to the returning officer on or before the date fixed pursuant to clause (2)(b) as the last date for receipt of nominations.
- (4) Any information provided pursuant to subsection (3) shall be considered confidential and shall not be disclosed to any person until after the date fixed pursuant to clause (2)(b).
- (5) After the date fixed pursuant to clause (2)(b), the returning officer shall forward copies of all nominations to the commission.

13 Aug 2010 SR 83/2010 s19; 5 Jly 2024 SR
51/2024 s12.

Returning officer and scrutineers

- 30(1)** Subject to subsection (2), the commission shall appoint a returning officer and one or more scrutineers to conduct an election pursuant to section 31.
- (1.1) The returning officer may appoint one or more deputy returning officers.
- (2) Cattle producers, buyers and officers and employees of the commission are not eligible to be appointed pursuant to subsection (1) or (1.1).
- (3) A returning officer appointed pursuant to subsection (1) is responsible for all administrative procedures related to conducting an election.
- (4) A scrutineer appointed pursuant to subsection (1) is responsible for scrutinizing all actions related to conducting an election.
- (5) Any registered cattle producer nominated pursuant to section 29 may provide a scrutineer to scrutinize the ballot verification and vote count that follow the close of an election.
- (6) Officers and employees of the commission are not eligible to act pursuant to subsection (5) as scrutineers.

6 Feb 2009 cA-15.21 Reg 8 s30; 13 Aug 2010 SR
83/2010 s20; 5 Jly 2024 SR 51/2024 s13.

Conduct of elections

- 31(1)** If not more than the required number of candidates are nominated pursuant to section 29, the candidates nominated are deemed to be elected by acclamation.
- (2) If more than the required number of candidates are nominated pursuant to section 29, the commission shall:
- (a) fix a date for a district election; and
 - (b) at least 15 business days before the date fixed pursuant to clause (a), provide to every registered cattle producer in the district:
 - (i) the candidate profiles submitted pursuant to clause 29(3)(c); and
 - (ii) notice of the time and the place the election will be held.

- (3) Every registered cattle producer that wishes to vote in a district election shall:
- (a) attend at the time and place stated in the notice sent pursuant to subclause (2)(b)(ii);
 - (b) complete the ballot; and
 - (c) seal the ballot in the envelope provided and return it to the returning officer or deputy returning officer, as the case may be, at the district election.
- (4) If a tie does not occur between candidates, the returning officer shall:
- (a) for each district in which a candidate was elected by acclamation in accordance with subsection (1), declare the candidate to be elected as a director of the commission representing that district;
 - (b) for each district in which there was an election, declare the candidate receiving the greatest number of votes in the district to be the director of the commission representing that district; and
 - (c) within three business days after the conclusion of all district elections, prepare and submit a written report to the chairperson that identifies:
 - (i) the names of those candidates elected by acclamation pursuant to subsection (1), if any; and
 - (ii) the name of the candidate receiving the greatest number of votes in each district.
- (5) The ballot of a registered cattle producer is not valid if:
- (a) the registered cattle producer votes for more than the specified number of candidates;
 - (b) it is defaced;
 - (c) it is marked in any way other than to vote for a candidates;
 - (d) it is not the original ballot provided by the commission; or
 - (e) the individual who voted on behalf of the registered producer voted more than once on behalf of that registered producer.
- (6) If the number of candidates nominated pursuant to section 29 is greater than the number of director positions to be filled, the commission shall not, during the period from the date fixed pursuant to clause 29(2)(b) to the date fixed pursuant to clause (2)(a), engage in any activity that is intended to promote or oppose, or that may be reasonably considered intended to promote or oppose, the election or re-election of any candidate.

13 Aug 2010 SR 83/2010 s21; 5 Jly 2024 SR
51/2024 s14.

Failure to receive documents does not invalidate election

32 The failure of any registered cattle producer to receive the documents mentioned in clause 31(2)(b) does not invalidate the election.

6 Feb 2009 cA-15.21 Reg 8 s32.

Election results

- 33(1)** The chairperson shall read the written report prepared pursuant to clause 31(4)(c) at the first annual general meeting of registered cattle producers after the election.
- (2) The reading of the written report pursuant to subsection (1) is deemed to be the declaration of the directors.
- (3) The commission shall:
- (a) within 10 business days after receiving the written report of the returning officer prepared pursuant to clause 31(4)(c), provide to candidates the election results, including total vote counts for all candidates; and
 - (b) make the written report of the returning officer available on request to any registered producer.

5 Jly 2024 SR 51/2024 s15.

Terms of office, vacancy

- 34(1)** Subject to subsection (4), unless otherwise set by an order of the commission, a director of the commission holds office:
- (a) in the case of an elected director, for a term of 2 years commencing with the declaration of the director's election by the chairperson or returning officer, as the case may be, and until the director's successor is elected or appointed; or
 - (b) in the case of a director appointed pursuant to clause 7(3)(a) or (b), for a term of 2 years commencing at the close of the first annual general meeting held following the appointment, and until the director's successor is appointed.
- (2) Subject to subsection (3), a director is eligible for re-election or reappointment.
- (3) Unless otherwise set by an order of the commission, if a director has completed 3 consecutive terms, that director is not eligible for re-election or reappointment until 2 years have passed since the completion of the director's third consecutive term.
- (4) The office of director becomes vacant if a director:
- (a) ceases to qualify:
 - (i) as a registered producer; or
 - (ii) as the representative of a registered producer;
 - (b) resigns, dies or is unable to act;
 - (c) is absent from three consecutive meetings of the commission without being excused by resolution of the commission; or
 - (d) fails to fulfil that director's duties as established by the policy of the commission.
- (5) If the office of a director for a district becomes vacant:
- (a) with respect to an elected director, notwithstanding clause 7(2)(a), the commission may appoint a registered cattle producer from that district to fill the vacancy for the remainder of the term for that office, and that person holds office commencing on the day of the person's appointment and until the director's successor is elected or appointed;

(b) with respect to a director appointed in accordance with subclause 7(3)(a)(i), the commission shall appoint a person from a list of persons nominated by the Saskatchewan Stock Growers Association to fill the vacancy for the remainder of the term for that office, and that person holds office commencing on the day of the person's appointment and until the director's successor is appointed; and

(c) with respect to a director appointed in accordance with subclause 7(3)(a)(ii), the commission shall appoint a person from a list of persons nominated by the Saskatchewan Cattle Feeders Association to fill the vacancy for the remainder of the term for that office, and that person holds office commencing on the day of the person's appointment and until the director's successor is appointed.

5 Jly 2024 SR 51/2024 s15.

Tie votes

35(1) If a tie occurs between candidates, the successful candidate is to be determined by a vote of registered cattle producers conducted at the first annual general meeting of registered cattle producers to be held following the vote.

(2) Voting pursuant to subsection (1) is to be by secret ballot.

(3) Only registered cattle producers who are in attendance at the annual general meeting and who are eligible in accordance with section 21.1 to vote in the district for which the election is being held are entitled to vote pursuant to subsection (1), and each of those registered cattle producers is entitled to one vote for that purpose.

(4) The returning officer shall count the votes cast pursuant to subsection (1) and declare the winner of the tie vote at the annual general meeting.

6 Feb 2009 cA-15.21 Reg 8 s35; 13 Aug 2010 SR 83/2010 s24.

Retention of election documents

36(1) The returning officer shall:

(a) retain the following in the officer's possession:

(i) the original nominations submitted pursuant to clause 29(3)(a);

(ii) the original candidate profiles submitted pursuant to clause 29(3)(c); and

(iii) the ballots; and

(b) subject to subsection (2), not destroy any nomination, candidate profile, ballot or other record respecting an election of directors until 35 days after the annual general meeting of registered producers at which the results of the election were declared.

(2) If a registered cattle producer submits a written objection to the council pursuant to section 37, the period mentioned in clause (1)(b) is extended until the challenge has been determined.

5 Jly 2024 SR 51/2024 s16.

Challenge to election results

37(1) Any registered cattle producer may challenge the results of an election of directors, as declared by the returning officer pursuant to section 33 or subsection 35(4), by submitting a written objection to the council.

(2) A written objection submitted pursuant to subsection (1) must:

(a) set out the grounds for the objection; and

(b) be received by the council within 30 days after the annual general meeting of registered cattle producers at which the returning officer declared the results of the election.

(3) If the council receives a written objection in accordance with this section and is satisfied that the objection is neither frivolous nor vexatious, the council may appoint a vote recount officer to conduct a recount of the votes cast in the election.

(4) If the council appoints a vote recount officer pursuant to subsection (3), the results of the election as determined by the vote recount officer are final.

6 Feb 2009 cA-15.21 Reg 8 s37; 5 Jly 2024 SR
51/2024 s17.

PART VII**Transitional and Coming into Force**

38 Repealed. 13 Aug 2010 SR 83/2010 s26.

Transitional – registered cattle producer

38.1 Every cattle producer is deemed to be a registered cattle producer for the purposes of these regulations if the cattle producer, on the coming into force of this section:

(a) is registered with the commission pursuant to section 22 and that registration has not been suspended or cancelled;

(b) has paid a deduction in the previous levy period pursuant to section 3 of *The Cattle Marketing Deductions Act, 1998* as that Act existed before the coming into force of *The Agri-Food Amendment Act, 2010*; and

(c) has not received a refund in the previous levy period of the deduction paid in accordance with clause (b) pursuant to section 12 of *The Cattle Marketing Deductions Act, 1998* as that Act existed before the coming into force of *The Agri-Food Amendment Act, 2010*.

13 Aug 2010 SR 83/2010 s27.

Transitional – refund of deduction

38.2 A cattle producer who, on the coming into force of this section, meets the qualifications set out in section 38.1, is deemed to have paid a refundable levy pursuant to section 25.1 and is eligible to apply for a refund of refundable levies in accordance with section 25.2.

13 Aug 2010 SR 83/2010 s27.

Coming into force

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

6 Feb 2009 cA-15.21 Reg 8 s39.

APPENDIX
[Subsection 2(4)]



6 Feb 2009 cA-15.21 Reg 8.