

The Gopher Control Rebate Regulations

being

Chapter F-8.001 Reg 36 (effective October 16, 2008 and expire on December 31, 2014) as amended by Saskatchewan Regulations 45/2009, 64/2010, 43/2011, 21/2012 and 26/2013.

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 36
The Farm Financial Stability Act

Title

- 1** These regulations may be cited as *The Gopher Control Rebate Regulations*.

Interpretation

- 2** In these regulations:

- (a) **“applicant”** means a person, or a rural municipality, that applies for a rebate;
- (b) **“bait”** means rodenticides that:
 - (i) are:
 - (A) listed in Table 1 of the Appendix; or
 - (B) approved by the minister; and
 - (ii) are:
 - (A) purchased by a person or a rural municipality for the purpose of eradicating gophers; or
 - (B) sold by a rural municipality for the purpose of eradicating gophers;
- (c) **“gopher”** means any member of the following genus species:
 - (i) *Spermophilus richardsonii* (Richardson’s ground squirrel);
 - (ii) *S. columbianus* (Columbian ground squirrel);
 - (iii) *S. franklinii* (Franklin ground squirrel);
 - (iv) *S. tridecemlineatus* (Thirteen-lined ground squirrel);
- (d) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (e) **“person”** means an individual, a partnership, a communal organization, an Indian band, a corporation or a co-operative;
- (f) **“rebate”** means a gopher control rebate payable pursuant to these regulations.

Application for rebate

3 A person or rural municipality that meets the eligibility criteria in section 5 may apply to the minister for a rebate on a form supplied by the minister.

31 Oct 2008 cF-8.001 Reg 36 s3.

Amount of rebate

4(1) Subject to subsections (3) and (4), if the minister is satisfied that an applicant meets all the requirements of these regulations, the minister may pay that applicant a rebate in an amount equal to 50% of the purchase price paid by the applicant for the bait, excluding taxes.

(2) Subject to subsections (3) and (4), if the minister is satisfied that an applicant that is a rural municipality meets all the requirements of these regulations, the minister may pay that rural municipality a rebate in an amount equal to R calculated in accordance with the following formula:

$$R = \frac{PP - SP}{2}$$

where:

PP is the purchase price paid by the rural municipality for the bait, excluding taxes; and

SP is the sale price of the bait, excluding taxes, to an applicant, other than a rural municipality.

(3) If applications are made pursuant to subsection (1) and (2) with respect to the same bait, the total rebate that may be paid to either applicant is an amount equal to 50% of the purchase price paid by the rural municipality for the bait, excluding taxes.

(4) No applicant is eligible for a rebate if the amount of the rebate that would otherwise be payable is less than \$50.

31 Oct 2008 cF-8.001 Reg 36 s4.

Eligibility

5 To be eligible to apply for a rebate, an applicant:

(a) must:

(i) own or lease Saskatchewan farm land;

(ii) in the case of an individual, be a Saskatchewan resident who is at least 18 years of age;

(iii) in the case of a partnership, communal organization, corporation or co-operative, have its head office in Saskatchewan or carry on business principally in Saskatchewan;

(iv) in the case of an Indian band, be an Indian band whose reserve land is in Saskatchewan; and

(v) in the case of an individual, partnership, communal organization, corporation or co-operative, the individual, partnership, communal organization, corporation or co-operative filed or will file an income tax return respecting farm income in Saskatchewan for the year preceding the year for which an application is made, or for the year for which an application is made, that shows or will show to the satisfaction of the minister that a substantial portion of the individual's, partnership's, communal organization's, corporation's or co-operative's income was derived from farm income in Saskatchewan; or

(b) must be a rural municipality.

8 May 2009 SR 45/2009 s3.

Application

6(1) An eligible applicant who wishes to receive a gopher control rebate shall apply to the minister on a form supplied by the minister.

(2) The eligible applicant must:

(a) in the form mentioned in subsection (1):

(i) describe the type of the bait that was purchased or sold; and

(ii) complete the declaration stating that no other application has been or will be made by the applicant with respect to the same bait; and

(b) attach to the application a copy of all receipts or invoices that state:

(i) the date the bait was purchased or sold;

(ii) the type and quantity of bait that was purchased or sold;

(iii) the purchase price that was paid by the applicant for the bait, and in the case of a rural municipality the price at which the rural municipality sold the bait;

(iv) the amount of taxes paid; and

(v) the name of the vendor and purchaser of the bait.

(3) At the time the application is made, or at any subsequent time, the minister may require an applicant to supply the minister with any additional information that the minister may reasonably require to evaluate the application to determine that the eligibility requirements have been met.

(4) If the minister requires additional information pursuant to subsection (3), the applicant shall supply that information within the time specified by the minister.

(5) No person shall supply any false or misleading information to the minister on any application for a rebate or in response to any request for information from the minister.

31 Oct 2008 cF-8.001 Reg 36 s6; 8 May 2009 SR 45/2009 s4; 25 Jne 2010 SR 64/2010 s3.

Application on behalf of deceased

7 If an individual who is otherwise eligible for a rebate dies, an application for the rebate may be made by:

(a) the executor of the deceased's estate;

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- (b) the administrator of the estate; or
- (c) a person entitled by law to apply for letters probate or letters of administration respecting the estate.

31 Oct 2008 cF-8.001 Reg 36 s7.

Application deadline

8(1) Subject to subsections (2) and (3), an application for a rebate must be received by the minister or, in the case of an application that is mailed, be postmarked, on or before November 30, 2013.

(2) An application for a rebate that is postmarked on or before November 30, 2013 is deemed to have been received by the minister on November 30, 2013.

(3) The minister may accept an application for a rebate that is received after November 30, 2013 if the minister is satisfied that:

- (a) extenuating circumstances exist making it unreasonable or impossible for the application to have been received on or before that date; and
- (b) it is not contrary to the public interest to do so.

30 Jne 2011 SR 43/2011 s3; 27 Apr 2012 SR 21/2012 s3; 10 May 2013 SR 26/2013 s3.

Duration of rebate program

9 Rebates may be paid for:

- (a) gopher bait purchased by an applicant on or after October 1, 2012 and before October 2, 2013; and
- (b) gopher bait purchased and sold by a rural municipality to a person on or after October 1, 2012 and before October 2, 2013.

31 Oct 2008 cF-8.001 Reg 36 s9; 8 May 2009 SR 45/2009 s6; 25 Jne 2010 SR 64/2010 s5; 30 Jne 2011 SR 43/2011 s4; 27 Apr 2012 SR 21/2012 s4; 10 May 2013 SR 26/2013 s4.

Overpayment

10(1) If a person provides false or misleading information to the minister or is otherwise ineligible for a rebate, the minister may declare that any payment received by that person pursuant to these regulations is an overpayment.

(2) Any overpayment, including a payment declared an overpayment pursuant to subsection (1), made pursuant to these regulations is a debt due to the Crown in right of Saskatchewan and may be recovered in the manner authorized by *The Financial Administration Act, 1993* or in any other manner authorized by law.

31 Oct 2008 cF-8.001 Reg 36 s10.

Coming into force and expiry

11(1) These regulations come into force on the day on which they are filed with the Registrar of Regulations.

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

31 Oct 2008 cF-8.001 Reg 36 s11; 30 Jne 2011 SR 43/2011 s5; 10 May 2013 SR 26/2013 s5.

AppendixTABLE 1
[clause 2(b)(i)(A)]

RODENTICIDES	PCP NO.
2% liquid strychnine concentrate – Agrium Advanced Technologies RP Inc.(Nu-Gro)	30434
2% liquid strychnine concentrate – Maxim Chemical International LTD	30433
Burrow Oat Bait (zinc phosphide)	24795
Degesch Phostoxin Round Tablets Rodenticide	16351
Elston Gopher Getter Bait I (RTU – dry)	24989
Fairview Gopher Cop R.T.U.	22956
Fairview Gopher Cop R.T.U.W. (RTU – high moisture – Maxim)	27758
Farm and Ranch Brand Liquid Rozol Rodenticide	21160
Farm and Ranch Brand strychnine Gopher – Kil TM (RTU dry – Agrium)	22913
Ground Force Paraffinized Pellets	20239
Ground Force TM GS Pocket Gopher Bait (RTU)	28142
Poulin's Gopher Doom	22608
Ratol Paraffinized Pellets	26459
RoCon TM Concentrate Rodenticide	27400
RoCon TM Concentrate Rodenticide – ISP	29305
Rodent Bait (zinc phosphide)	16122
Rodent Pellets (zinc phosphide)	21838
Rozol Mineral Oil Concentrate (19 litre jugs)	11342
Rozol Paraffinized Pellets	13729
Rozol RTU Field Rodent Bait (RTU dry on wheat – 22.7 kg bags – Agrium)	29545
S.A.R.M. Gopher Poison R.T.U. (RTU - dry)	23236
Wilco Gopher Ground Squirrel Bait (RTU - dry)	25472
Wilson Richardson's Ground Squirrel Strychnine Bait (RTU – high moisture - Agrium)	27651
ZP Rodent Bait (zinc phosphide)	14240
ZP Rodent Oat Bait Ag (zinc phosphide)	29030

