

Tracking Federal Regulatory Initiatives

Regulatory Affairs

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Proposed Regulations for Pre-Publication in Part I, Canada Gazette	Statutory Authority & Regulatory Plan Listing
<p>Farm Debt Mediation Regulations</p> <p>The proposed regulations would provide for the appointment of mediators for insolvent farmers under the <i>Farm Debt Mediation Act</i> (FDMA), a new Act to provide for mediation between insolvent farmers and their creditors.</p> <p>The new regulations would also provide for the establishment of five appeal boards for farmers and creditors, establish how members of the boards would be assigned to appeals, and establish the overall appeal procedures, including methods of service available to creditors. The regulations would define the term "related" for the purposes of section 20 and subsection 22(2) of the FDMA.</p> <p>The new boards would be established to cover five areas: Alberta/British Columbia; Manitoba/Saskatchewan; Ontario; Quebec; and the Atlantic Provinces. Each board would have a chairperson and up to four members. While the boards would be designed to hear appeals in their area, they would be able to participate in appeals in other areas to help provide timely appeals.</p> <p>Appeals would be limited to applications made under paragraph 5(1)(a) of the FDMA and only with respect to the eligibility of the farmer (S.15(2)(a) or the extension or termination of a stay of proceedings (S.15(2)(b)).</p>	<p><i>Farm Debt Mediation Act</i>, section 26</p> <p>Not included in Regulatory Plan</p> <p>Published in Canada Gazette August 23, 1997</p>

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Proposed Regulations for Pre-Publication in Part I, Canada Gazette

Statutory Authority & Regulatory Plan Listing

The farmer and all creditors of the farmer would be able to appeal the Stay of Proceedings, Extensions of the Stay of Proceedings and Termination of the Stay of Proceedings.

With respect to an appeal of a Stay of Proceedings or an Extension of a Stay of Proceedings, the farmer or creditor will have 15 calendar days (from the date the notice is sent to them by the administrator of the Farm Debt Mediation Service) to file an appeal to the administrator in the prescribed form and containing the prescribed information.

Farmers appealing a decision to terminate a Stay pursuant to paragraph 14(2)(c) or 14(2)(d) would have 48 to appeal. In all other cases, the farmer has seven days.

Where possible, the appeal is reviewed and a decision made within 48 hours of the deadline for making appeals. The appeal can be handled by conference call or other efficient way of reviewing the appeal; the decision can be sent to the administrator by telephone or facsimile.

The proposed Regulations include provisions covering the requirements for a creditor to serve Notice of Intent to Realize on Security under section 21. The provisions both provide creditors with a method for ensuring that notice could be served and sufficient time for a farmer to receive the notice and apply to the Farm Debt Mediation Service for a Stay of Proceedings.

A farmer has 15 business days from date of service to make an application to the administrator before any action to realize on security can be taken by a creditor.

Contact: George Bowen, Sir John Carling Building, Room 479, 930 Carling Avenue, Ottawa, Ontario, K1A 0C5. Tel: 613-759-7201; FAX: 613-759-7490.

Exempt from Pre-Publication and Approved

Statutory Authority & Regulatory Plan Listing

Special Appointment Regulations, No. 1997-6 (SOR/97-402, OIC 1997-114)

The regulation makes the following appointment and exempts the appointment from the application of the Public Service Employment Act, except sections 32, 33 and 34, while the appointee is in the position:

- James Karl Bartleman as Foreign Policy Advisor and Assistant Secretary to the Cabinet (Foreign and Defence Policy).

Contact: Senior Personnel Management, Privy Council Office, Postal Station B Building, Ottawa, Ontario K1A 0A3. Tel: 613-957-5288

Public Service Employment Act, subsection 37(1)

Not included in Federal Regulatory Plan

To be published in Canada Gazette September 3, 1997

Ministerial Orders Approved

Statutory Authority & Regulatory Plan Listing

Commissioner's Standing Orders (Representation), 1997 (SOR/97-399)

The new Standing Orders sets out the entitlement and limits to the representation of members of the RCMP in a grievance, proceeding, preparation or appeal referred to in section 47.1(1) of the *Royal Canadian Mounted Police Act* and pursuant to paragraph 47.1(3)(a) or (b). of the Act.

The new Standing Orders repeal the earlier Standing Orders (SOR/88-365 and SOR/92-339); they recognize the disbanding in 1994 of the Professional Standards Directorate and the creation of three groups, the Adjudication Support Unit, the Appropriate Officer Representatives, and the Members Representatives.

The new Standing Orders also create an alternative means of redress for disputes regarding representation, replacing the process under Part III of the Act. The new redress process involves a review of a Staff Relations Program Officer by an officer designated by the Commissioner of the RCMP.

The new Standing Orders come into effect August 11, 1997.

Royal Canadian Mounted Police Act, subsection 47.1(3)

Not included in Regulatory Plan

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