

BILL

No. 51

An Act to repeal *The Saskatchewan Grain Car Corporation Act* and
respecting certain matters associated with that repeal

TABLE OF CONTENTS

1	Short title	6	Limitation of actions
2	Definitions	7	Act prevails
3	Transfer of property and liabilities	8	Corporation dissolved
4	Employees	9	SS 1979-80, c S-19.2 repealed
5	Audit and annual report	10	Coming into force

(Assented to)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of
Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Saskatchewan Grain Car Corporation Repeal Act*.

Definitions

2 In this Act:

“**corporation**” means the Saskatchewan Grain Car Corporation continued
pursuant to subsection 3(1) of *The Saskatchewan Grain Car Corporation Act*;

“**minister**” means the member of the Executive Council to whom for the time
being the administration of this Act is assigned.

Transfer of property and liabilities

3(1) All property of the corporation, both real and personal, all assets of the corporation
and all interests or rights of the corporation in or to any property are transferred and
assigned to and vested in the Government of Saskatchewan.

(2) This Act is a legal and valid transfer and assignment to the Government of
Saskatchewan of all lands or interests in land, all mortgages, charges, encumbrances
or other documents and all other property of every description standing in the name of
or vested in the corporation.

(3) Notwithstanding any other Act:

- (a) it is not necessary to register or file this Act or register, file or issue any further or other instrument, document or certificate to give effect to the transfer or assignment of title of the property mentioned in subsections (1) and (2) from the corporation to the Government of Saskatchewan; and
 - (b) in any instrument or document in which the Government of Saskatchewan deals with any of the property mentioned in subsection (1) or (2), it is sufficient to cite this Act as effecting the transfer or assignment of title from the corporation and the vesting of title in the Government of Saskatchewan.
- (4) All liabilities, leases, contracts, obligations, debts, causes of action, actions, appeals, applications or other proceedings of the corporation or in the name of the corporation are transferred to and assumed by the Government of Saskatchewan.
- (5) Except as otherwise provided in this Act, nothing in this Act affects the rights of any creditor of the corporation or any person with a claim against the corporation and all those rights may be asserted against the Government of Saskatchewan.

Employees

- 4(1) All employees of the corporation are transferred to and become employees of the Government of Saskatchewan.
- (2) Notwithstanding any Act, law or provision of a contract, a transfer pursuant to subsection (1):
- (a) does not constitute the abolition or termination of any position or job;
 - (b) does not require any advance notice, including any notice that may be required pursuant to any Act, law or provision of a contract; and
 - (c) does not constitute constructive dismissal of any person or a breach of contract.

Audit and annual report

- 5(1) The Provincial Auditor or any other auditor or firm of auditors that the Lieutenant Governor in Council may appoint shall audit the records, accounts and financial statements of the corporation for the period:
- (a) commencing on the first day of the corporation's fiscal year that is in effect on the day on which section 9 comes into force; and
 - (b) ending on the day that section 9 comes into force.
- (2) The minister shall, in accordance with section 13 of *The Executive Government Administration Act*, prepare and lay before the Legislative Assembly:
- (a) a report of the corporation on its business for the period mentioned in subsection (1); and
 - (b) a financial statement showing the business of the corporation for the period mentioned in subsection (1) in any form that may be required by Treasury Board.

Limitation of actions

6 No action or proceeding lies or shall be commenced against the Government of Saskatchewan, any member of the Executive Council or any officer or employee of the Government of Saskatchewan because of the repeal of *The Saskatchewan Grain Car Corporation Act*.

Act prevails

7(1) This Act prevails if there is any conflict between this Act and any other Act, regulation or law.

(2) No prohibition of any transfer or assignment, nor the absence of any consent or approval required for any transfer or assignment, voids or affects the validity of a transfer or assignment made pursuant to this Act.

(3) Any transfer or assignment made pursuant to this Act is deemed not to be a breach or default under any lease, contract or instrument.

Corporation dissolved

8 The corporation is wound up and dissolved.

SS 1979-80, c S-19.2 repealed

9 *The Saskatchewan Grain Car Corporation Act* is repealed.

Coming into force

10 This Act comes into force on proclamation.

FIRST SESSION

**Twenty-eighth
Legislature**

SASKATCHEWAN

B I L L

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Received and read the

First time

Second time

Third time

And passed

Honourable David Marit
