



Regulation of commerce in Saskatchewan is the sole jurisdiction of the provincial government

APAS lawyers to argue in court today against the federal carbon tax

Embargoed for release until 9:30 AM CST, February 13, 2019 – The Agricultural Producers Association of Saskatchewan (APAS) will be using its intervenor status in the Saskatchewan Court of Appeal reference case on the Federal Carbon Tax to argue that the federal government is overstepping constitutional boundaries.

As the [factum of the intervenor prepared by lawyers from Miller and Thomson](#) on APAS' behalf states:

“It is clear that both the purpose and the effect of the Act is to regulate local industry, business and consumer activity – in a very specific way chosen by Canada – in order to endeavor to reduce GHGs. Such regulation falls into the provincial power over trade, commerce, property and civil rights in the Province, pursuant to s. 92(13) of the *Constitution Act, 1867*.”

Beyond the constitutional issues, APAS has long argued that the carbon tax will have a disproportionate impact on farmers and ranchers as well as rural Saskatchewan.

APAS President Todd Lewis points to all the costs that producers incur which will be impacted by a carbon tax, such as heating barns, drying grain, road transportation of crops and livestock, fertilizer, rail transportation and other crop inputs and manufactured goods.

“When its cold, we can’t just decide to turn off the heat in livestock buildings; when we have a wet harvest like we did in 2018 we have no choice but to dry our grain with propane or it will rot. These costs are not optional expenses and they add up,” he says, also noting that the Federal Department of Agriculture has acknowledged that there are few alternate technologies that are available to producers in these instances.

“As producers, we already look for every possible cost savings, because we can’t pass those costs along,” Lewis says. “And if you reduce our financial ability to adopt new technologies, it defeats the purpose of the carbon tax.”

APAS lawyers are scheduled to present their arguments this afternoon.



For more information or to arrange an interview, please contact:
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Background: APAS is Saskatchewan's general farm organization – formed to provide farmers and ranchers with a democratically elected, grassroots, non-partisan, producer-run organization based on rural municipal boundaries. As the united voice of agricultural producers and ranchers in Saskatchewan, we strive to represent the views of a wide variety of agricultural stakeholders in order to form comprehensive policies that can benefit all sectors of society. APAS is a member of the Canadian Federation of Agriculture.