

Appeal Tribunal

*(Amalgamation of Manitoba Agricultural Services Corporation Appeal Tribunal and the
Agricultural Crown Lands Appeal Board)*

Board Members

Chair

Gavin Jones, Warren

Vice-Chair

Dan Ronceray, Somerset (bil.)

Members

Sandra Thornhill, Dugald

Robert Tanchak, Fisher Branch

Alice Bourgouin, Grosse Isle

Mandate:

The mandate of the Appeal Tribunal is to hear and determine appeals under section 44 of *The Manitoba Agricultural Services Corporation Act*, to hear and determine appeals under section 7.6 of *The Crown Lands Act*, and to recommend to the Minister policy changes on matter related to agricultural Crown Lands.

Authority:

The Manitoba Agricultural Services Corporation Act

The Crown Lands Act

Responsibilities:

The board will hear appeals related to crop insurance and appeals related to leases, use permits and work permits of agricultural Crown lands.

The board reviews appeals of Manitoba Agricultural Services Corporation decisions in regards to the following determinants of crop insurance:

- a) The corporation's determination of the cause of the loss or damage;
- b) The corporation's determination of the amount of production, percentage of production loss, number of acres and number of livestock, as applicable;
- c) The corporation's calculation of the amount of indemnity payable under the contract of insurance

The board's jurisdiction is also to hear appeals submitted by individuals who are aggrieved by a decision of the director of Manitoba Agriculture, Agricultural Crown Lands to:

- a) refuse to grant a lease or issue a use permit;
- b) refuse to approve the transfer of a lease or a use permit;

- c) refuse to grant a work permit; or
- d) cancel a lease, use permit or work permit for non-compliance with a condition of the lease, use permit or work permit.

Membership:

The board shall consist of at least four (4) members appointed by the Lieutenant Governor in Council, of which one shall be appointed chair and another member as vice-chair.

Length of Terms:

Each member holds office for the term set by the Lieutenant Governor in Council. As a standard of practice, terms are generally no longer than three years.

Desirable Experience:

An agricultural background with knowledge of the economic aspects of farming, as well as knowledge of agricultural production and the agricultural equipment sector is desired. An understanding of administrative and tribunal procedures is an asset.

All boards require that Board members:

- must be able to communicate verbally and have the ability to ask questions using open-ended, non-judgmental language;
- have active listening skills;
- be able to read and interpret policies/legislation;
- have strong analytical abilities;
- have the ability to make decisions in a fair and unbiased manner; and
- adhere to a high degree of confidentiality.

Time Commitment:

Meetings are usually full day, lasting for one, two, or occasionally three days, as several hearings may be scheduled for one location.

Meetings:

Location: Meeting locations occur across agricultural Manitoba, depending on appellant's location and access to a boardroom with a link to the provincial computer system. Dauphin (45%) and Winnipeg (45%) are the most common locations for Agricultural Crown Lands hearings and meetings, but other centers such as Ste. Rose, Selkirk, Portage, Minnedosa, and Brandon have been utilized (10%).

Frequency: Varies: The specific number of meetings is dependent on the number of appeals.

Remuneration:

For carrying out duties, functions and powers under *The Crown Lands Act*.

Chair: \$250 per day or \$150 per half day

Vice-Chair and Members: \$150 per day or \$100 per half day

For carrying out all other duties, functions and powers:

Chair: \$243 per day or \$138 per half day
Vice-Chair and Members: \$138 per day or \$79 per half day