

POLICY TITLE Modern Lease and Renewable Permit Transfer

BRANCH Land Use and Ecosystems Resilience
DIVISION Agriculture Production and Resilience
Policy Number ACL-23-01
Effective Date January 1, 2024, until rescinded or amended
ADM/Director Patti Rothenburger/Andrea McLean

Approved By April 2, 2024 - Original signed by

Brenda DeSerranno, Deputy Minister - MB Agriculture

Policy Objective:

This policy supports the Agricultural Crown Lands Leases and Permits Regulation which enables holders of **modern forage leases** and **renewable permits**¹ to transfer the lease or renewable permit to the next lease or permit holder for the remainder of the lease or permit term.

Relevant Legislation, Regulation, and Agreements:

Sections 8(1) and 8(3.1) to 8(5) of the Agricultural Crown Lands Leases and Permits Regulation, M.R. 99/2023 outlines provisions for transferring modern 15-year leases and permits issued after October 1, 2019 to another eligible lease or permit holder, including:

- Eligibility for transfer of holder and recipient,
- Fees,
- Permit renewals,
- Changes in ownership of lease and permit holding entities.

Policy

- 1) Applications for modern lease or renewable permit transfers must be made on a form issued by and satisfactory to the Director.
- 2) A lease or renewable permit can only be transferred in its entirety.
- 3) The expiry date, rights, obligations, and forage capacity of the original lease or permit remain the same after the transfer. Lease and permit holders must comply with lease or permit terms and conditions for the time they hold the lease or permit.

¹ For bold text See Definitions Policy ACL 23-09

Agricultural Crown Lands

- 4) Once a transfer is approved by the Director, the incoming lease or permit holder assumes control of the lease or permit as of January 1st of the following year.
- 5) Manitoba is not responsible for improvement valuation or compensation. The outgoing and incoming lease or permit holders are responsible to settle any compensation for improvements upon lease or permit transfer. Manitoba considers the holder of the lease or permit as the owner of the improvements. Once the lease or permit transfer is complete, the incoming lease or permit holder is the owner of the improvements.
- 6) Section 6.2 of the regulation describes lease holder's ability to extend the lease for five years by submitting and following an approved **forage management plan**². Incoming lease holders can assume an existing approved forage management plan initiated by the original leaseholder. Incoming lease holders are eligible for a five-year extension if section 6.2 of the regulation and the Forage Lease Extensions Policy ACL 23-05 are satisfied. The incoming lease holder must provide a signed forage management plan to Manitoba Agriculture as part of the lease holder's request for a five-year extension.
- 7) A lease transfer during the five-year extension period is permitted.

² See Definitions Policy ACL 23-09