

Updated to: February 25, 2009
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C.C.S.M. c. C140

THE COARSE GRAIN MARKETING CONTROL ACT

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

Definitions

1(1) In this Act,

"barley product" means any substance produced by processing or manufacturing barley, alone or together with any other material or substance designated in the regulations as a barley product for the purposes of this Act; (« produit de l'orge »)

"The Canadian Wheat Board" means the board established under the Canadian Wheat Board Act (Canada); (« Commission canadienne du blé »)

"coarse grain" means oats, barley, and any oat product or barley product; (« grain entier »)

"oat product" means any substance produced by processing or manufacturing oats; (« produit de l'avoine »)

"producer" means a producer of grain, livestock, or poultry. (« producteur »)

Application of Wheat Board Act

1(2) Unless it is otherwise provided in this Act or the context otherwise requires, words and expressions used in this Act have the same meaning as in the Canadian Wheat Board Act (Canada).

Purpose of Act

2 The purpose and intent of this Act is to provide for the regulation of the marketing of coarse grain locally within the province.

Prohibition of sale and purchase

3(1) Except as permitted by the regulations and subject to subsection (2),

(a) no producer shall sell or agree to sell coarse grain situated in Manitoba for delivery within the province to any person other than The Canadian Wheat Board;

(b) no person shall purchase or agree to purchase coarse grain situated in Manitoba for delivery within the province unless such coarse grain is purchased on account of The Canadian Wheat Board.

Exceptions

3(2) Notwithstanding subsection (1),

(a) a producer may sell or agree to sell coarse grain situated in Manitoba for delivery to a producer or to an owner of livestock or poultry within the province;

(b) a producer or an owner of livestock or poultry may purchase or agree to purchase coarse grain situated in Manitoba either for delivery within the province or for his own use.

Regulations

4 The Lieutenant Governor in Council may make regulations

(a) prescribing forms of documents required for the purposes of this Act;

(b) designating materials or substances that are barley products for the purposes of this Act;

(c) designating materials or substances that are oat products for the purposes of this Act;

(d) providing for any other matter necessary to give effect to this Act.

Offence and penalty

5(1) Every person who contravenes, refuses, omits, neglects or fails to comply with, this Act or the regulations is guilty of an offence and liable, on summary conviction, to a fine not exceeding \$500., or to imprisonment for a term not exceeding six months, or to both.

Officers of corporation

5(2) If a corporation is guilty of an offence under this Act, any officer, director, or agent of the corporation who directed, authorized, assented to, acquiesced in, or participated in, the commission of the offence, is a party to, and guilty of, the offence.

Contracts that are void

6 Any contract or agreement for the sale, purchase, or transportation, of coarse grain in contravention of any provision of this Act or of any regulation is void.

Non-application of Act

7 Nothing in this Act applies to the sale or purchase of, or to an agreement to sell or to purchase, coarse grain for delivery in another province or outside Canada.