

Delegation of Powers to Dairy Farmers of Nova Scotia Regulations
made under Sections 13 and 14 of the
Dairy Industry Act
S.N.S. 2000, c. 24
N.S. Reg. 136/2001 (November 6, 2001)
as amended by N.S. Reg. 242/2013 (June 12, 2013, effective July 1, 2013)

- 1 These regulations may be cited as the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*.

- 2 (1) Pursuant to Sections 13 and 14 of the *Dairy Industry Act*, the Natural Products Marketing Council delegates the following powers, including the power to make regulations, to Dairy Farmers of Nova Scotia, subject to the approval of the Council:
 - (a) fixing and allotting quota for marketing or production (clause 9(a) and subclause 14(1)(e)(i) [of the Act]);

 - (b) subject to Section 25 [of the Act], prescribing the price structure for raw milk and any component of milk and the basis of the calculation of the price structure having regard to any or all of the following circumstances:
 - (i) the prevailing market price of milk,

 - (ii) the conditions of production,

 - (iii) the manner of delivery,

 - (iv) the cost of handling and delivering milk,

 - (v) any other circumstance that has an effect on the price of milk (clauses 9(b) and 14(1)(c) [of the Act]);

 - (c) fixing, imposing upon and collecting fees, levies or charges from persons engaged in the production of milk and designating to whom the fees, levies or charges shall be paid (clause 9(u) [of the Act]);

 - (d) authorizing the payment of expenses from fees, levies or charges imposed pursuant to clause (u) (clause 9(w) [of the Act]);

 - (e) providing for the making of grants or other like payments to any person or association or body of persons (clause 9(aa) [of the Act]);

 - (f) requiring that no charges, costs or expenses relating to the producing or marketing of milk shall be made, other than such charges, costs or expenses as provided for in ~~this~~ [the] Act or the regulations (clause 9(ab) [of the Act]);

- (g) designating payment agents authorized to act on behalf of the Board to pay producers for milk (clause 14(1)(d) [of the Act]);
- (h) providing for the regulation of the supply of milk by producers to processors, including the marketing or production of milk on a quota basis, and for that purpose
 - (i) fixing and allotting quota for marketing or production,
 - (ii) refusing to fix and allot quota to persons,
 - (iii) subject to Section 10 [of the Act], transferring quota among producers supplying milk and setting the terms and conditions on which the transfer may take place,
 - (iv) canceling, reducing or refusing to increase the quota fixed and allotted to any person,
 - (v) prohibiting any person to whom a quota has not been fixed and allotted from marketing and producing milk,
 - (vi) prohibiting any person to whom a licence has been issued and a quota allotted from marketing or producing milk in excess of the quota,
 - (vii) prohibiting the purchase, sale or transfer of quota by any person,
 - (viii) authorizing the assignment of quota to a creditor as security for money loaned or advanced,
 - (ix) subject to Section 10 [of the Act], providing for the purchase, sale or transfer of quota through a quota exchange,
 - (x) providing for the purchase and sale of quota by the Board,
 - (xi) providing for the retention of a percentage of quotas as an assessment on each transfer of quota (clause 14(1)(e) [of the Act]);
- (i) providing for the establishing and administering of a pooling program whereby all producers receive a comparable price for milk that is adjusted for any geographic pricing considerations (clause 14(1)(f) [of the Act]);
- (j) prescribing the information the Board or its payment agent shall supply in a milk statement to each producer (clause 14(1)(g) [of the Act]);
- (k) providing for the purchasing of raw milk from producers and the selling of the raw milk to processors (clause 14(1)(h) [of the Act]);

- (l) providing for the registration and licensing of producers (clause 9(f) [of the Act]);
- (m) prescribing the grounds for the refusal of the registration and licensing of a producer (clause 9(g) [of the Act]);
- (n) specifying the information required to be submitted with an application for a producer's licence (clause 9(h) [of the Act]);
- (o) specifying the criteria and the terms and conditions, including the expiry date, if any, upon which a producer's licence may be obtained and the fees payable for a producer's licence and the collection of those fees (clause 9(i) [of the Act]);
- (p) requiring all persons engaged in the production of milk to be licensed (clause 14(1)(a) [of the Act]).

Subsection 2(1) amended: N.S. Reg. 242/2013.

Subsection 2(2) repealed: N.S. Reg. 242/2013.