

Delegation of Section 9 Powers to Pork Nova Scotia Regulations

made under Section 11 of the

Natural Products Act

R.S.N.S. 1989, c. 308

O.I.C. 2009-523 (December 21, 2009), N.S. Reg. 343/2009

Citation

1 These regulations may be cited as the Delegation of Section 9 Powers to Pork Nova Scotia Regulations.

Definitions

2 In these regulations,

“Act” means the Natural Products Act;

“Plan” means the Pork Marketing Plan made by the Council under the Act;

“regulations” means the regulations made by Pork Nova Scotia under the authority delegated by these regulations and by the Delegation of Section 6 Powers to Pork Nova Scotia Regulations made under the Act.

Regulation-making powers delegated under clause 11(d) of the Act

3 The Council delegates to the Commodity Board the Council’s power under subsection 9(1) of the Act to make regulations

(a) prescribing the manner in which all hogs produced in the regulated area must be marketed (clause 9(1)(a) of the Act);

(b) designating an agency or agencies through which hogs produced in the regulated area must be marketed (clause 9(1)(a) of the Act);

(c) providing for the licensing of persons to permit them to produce or market hogs or pork (clause 9(1)(b) of the Act);

(d) providing for

(i) the production or marketing of hogs on a quota basis (subclause 9(1)(c)(i) of the Act),

(ii) the fixing and allotting to persons of quotas for producing or marketing hogs on any basis that the Commodity Board considers proper (subclause 9(1)(c)(ii) of the Act),

(iii) the refusal to fix and allot to any person a quota for producing or marketing hogs for reasons that the Commodity Board considers proper (subclause 9(1)(c)(iii) of the Act),

(iv) the transfer of quota among producers and the terms and conditions under which transfers may take place (subclause 9(1)(c)(iv) of the Act), and

(v) the cancellation or reduction of, or the refusal to increase, a quota fixed or allotted to a person for producing or marketing hogs for reasons that the Commodity Board considers proper (subclause 9(1)(c)(v) of the Act);

(e) prohibiting

(i) a person to whom a quota has not been fixed and allotted for the production or marketing of hogs from producing or marketing hogs (subclause (9)(1)(d)(i) of the Act),

(ii) a person to whom a quota has been fixed and allotted for the production or marketing of hogs from producing or marketing hogs in excess of the quota (subclause (9)(1)(d)(i) of the Act);

(f) providing the form of licences and the terms and conditions upon which licences may be issued, renewed, suspended or revoked (clause 9(1)(e) of the Act);

(g) requiring persons who produce or market hogs or pork to furnish any information relating to the production or marketing of hogs or pork, including completing and filing returns, that the Commodity Board determines (clause 9(1)(f) of the Act);

(h) fixing and determining licence fees, levies and charges to be paid by producers and processors in relation to the administration of this Plan and the regulations (clause 9(1)(hb) of the Act. Commodity Board regulations require Council approval

4 Any regulations or changes to regulations made by the Commodity Board under the regulation-making powers delegated by these regulations must be approved by the Council.