

Nova Scotia Cattle Producers Regulations

made under Sections 6 and 9 of the
Natural Products Act
R.S.N.S. 1989, c. 308
N.S. Reg. 34/2006 (February 14, 2006)

Citation

1 These regulations may be cited as the Nova Scotia Cattle Producers Regulations.

Definitions

2 In these regulations,

- (a) "Act" means the Natural Products Act;
- (b) "Agency" means the Canadian Beef Cattle Research, Market Development and Promotion Agency, established under the Farm Products Agencies Act (Canada);
- (c) "beef cattle" means live domesticated bulls, cows, steers, heifers and calves of the bovine species or their carcasses and includes bob calves, veal calves, cull cows and dairy cattle and draft animals of the bovine species;
- (d) "Commodity Board" means the Nova Scotia Cattle Producers;
- (e) "Council" means the Natural Products Marketing Council;
- (f) "certificate of registration" means a permit issued by the Commodity Board under these regulations to a producer or purchaser;
- (g) "federal levy" means a levy imposed under the Beef Cattle Research, Market Development and Promotion Levies Order made under the Farm Products Agencies Act (Canada);
- (h) "inspector" means an inspector appointed as an inspector by the Council under subsection 5(3) of the Act;
- (i) "levy" means a levy on the sale of beef cattle imposed under Section 7;
- (j) "livestock dealer" means a person who acts as an agent in buying or selling beef cattle and includes an auctioneer, an auction market and a public sale yard operator;
- (k) "person" includes a board, association, corporation, firm and partnership;
- (l) "producer" means a person who markets beef cattle in the regulated area for the purpose of sale or distribution, and includes all of the following:
 - (i) a livestock dealer,
 - (ii) a slaughterhouse operator,
 - (iii) a drover;
- (m) "public sale yard operator" means a person who operates a public auction as a business;

- (n) "purchaser" means a person who buys beef cattle from a producer and includes
 - (i) a producer who buys beef cattle from another producer, and
 - (ii) a person who buys beef cattle in the regulated area but who does not reside in the regulated area;
- (o) "regulated area" means all of the Province;
- (p) "slaughterhouse operator" means a person who operates a slaughterhouse where beef cattle are slaughtered.

Certificate of registration required

3 Only a person who holds a valid certificate of registration issued by the Commodity Board is permitted to act as a producer or purchaser.

Certificate of registration

4 (1) The Commodity Board may issue a certificate of registration and a registration number to an applicant who submits a completed application for a certificate of registration to the Commodity Board on the form prescribed by the Commodity Board and includes all information prescribed by the Commodity Board, together with all of the following information:

- (a) the applicant's name and address;
 - (b) the civic address of the applicant's residence;
 - (c) information about all of the applicant's purchases of beef cattle in the 12 months immediately preceding the application, including all the following:
 - (i) the producer's name and address and registration number,
 - (ii) the number of beef cattle purchased,
 - (iii) the place of purchase,
 - (iv) the date of purchase;
 - (d) information about all of the applicant's sales of beef cattle in the 12 months immediately preceding the application, including all of the following:
 - (i) the purchaser's name and address and registration number,
 - (ii) the number of beef cattle sold,
 - (iii) the place of sale,
 - (iv) the date of sale.
- (2) A certificate of registration expires on December 31 in the year it is issued or renewed.
- (3) An applicant for renewal of a certificate of registration must submit a completed application to the Commodity Board on a form prescribed by the Commodity Board
- (a) no later than 60 days after the date they receive a renewal notice from the Commodity Board; or

(b) if the Commodity Board does not issue a renewal notice to the applicant, no later than December 1 in each year.

(4) The Commodity Board may refuse to issue or renew a certificate of registration if

(a) the application is not complete; or

(b) the Commodity Board considers that the applicant is not complying with the Act, the Plan or the regulations made under the Act.

(5) A certificate of registration is not transferrable.

Annual reporting

5 When their certificate of registration expires or is renewed, each producer and purchaser must give the Commodity Board the following information in a form prescribed by the Commodity Board:

(a) the details of all purchases of beef cattle made by the producer or purchaser during the term of their certificate, including all the following:

(i) the producer's name and address,

(ii) the number of beef cattle purchased,

(iii) the place of purchase,

(iv) the date of the purchase;

(b) the details of all sales of beef cattle made by the producer or purchaser during the term of the certificate, including all of the following:

(i) date of the sale,

(ii) name and address of the purchaser,

(iii) number of beef cattle sold,

(iv) place of sale.

Levy amount

6 (1) A person who sells beef cattle in intraprovincial trade in the regulated area must pay a levy of \$2.00 to the Commodity Board, in accordance with Section 7, for each head of beef cattle sold.

(2) A person who slaughters beef cattle in the regulated area must pay a levy of \$2.00 to the Commodity Board for each head of beef cattle slaughtered, unless a levy is payable under subsection (1) for the same head of cattle.

Deducting and remitting levy

7 (1) A purchaser must deduct the levy imposed under Section 6 from the amount paid to a producer.

(2) A purchaser must remit the deducted levy to the Commodity Board no later than the 15th day of the month following the month in which the purchase occurred, together with all of the following information in the form prescribed by the Commodity Board:

(a) the producer's name, address and registration number;

(b) the purchaser's name, address and registration number;

(c) the date and place of the purchase;

(d) the number of beef cattle purchased.

(3) If a purchaser fails to deduct and remit a levy as required, the producer who is selling the beef cattle must remit the levy to the Commodity Board no later than the 15th day of the month following the month in which the sale occurred, together with the all of following information in the form prescribed by the Commodity Board:

(a) the producer's name, address and registration number;

(b) the purchaser's name, address and registration number;

(c) the date and place of the sale;

(d) the number of beef cattle sold.

(4) If a purchaser or producer fails to remit a levy to the Commodity Board in accordance with this Section, the producer and purchaser are jointly and severally liable to the Commodity Board for the amount of the levy.

Inspecting books, records, premises and transport vehicles

9 An inspector may inspect the books, records, premises and transport vehicles of a producer or purchaser at the times determined by the Commodity Board.

Commodity Board may enter administrative agreements

10 The Commodity Board may enter into an administrative agreement with any one or all of the following:

(a) the Agency, to give effect to the federal levy in the regulated area and to enable the Commodity Board to act as an agent for the Agency;

(b) a provincial agency, to give effect to the federal levy;

(c) the Agency and a provincial agency or agencies, to provide for collecting, remitting and enforcing the federal levy in the regulated area and accounting for the federal levy to the Agency and the other provincial agencies.

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