

Farm Products Marketing Act

R.R.O. 1990, REGULATION 432

Amended to O. Reg. 132/06

SOYBEANS — PLAN

Notice of Currency:* This document is up to date.

*This notice is usually current to within two business days of accessing this document. For more current amendment information, see the Table of Regulations – Legislative History Overview.

This is the English version of a bilingual regulation.

1. The plan in the Schedule is continued for the control and regulation of the producing and marketing of soybeans within Ontario. R.R.O. 1990, Reg. 432, s. 1.

2. The local board named in the Schedule is given the powers set out in subsection 15 (1), in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 26 of subsection 15 (2) and in sections 50 and 110 of the Co-operative Corporations Act. R.R.O. 1990, Reg. 432, s. 2.

3. The members of the local board shall be deemed to be the shareholders and directors thereof in the exercise of any of the powers mentioned in section 2. R.R.O. 1990, Reg. 432, s. 3.

Schedule
PLAN

Farm Products Marketing Act

1. This plan may be cited as “The Ontario Soybean Growers’ Marketing Plan”.

2. In this plan,

“producer” means a person engaged in the production of soybeans in Ontario; (“producteur”)

“soybeans” means soybeans produced in Ontario. (“soya”)

3. This plan applies to the control and regulation in all respects of the producing and marketing within Ontario of soybeans, including the prohibition of such producing and marketing in whole or in part.

4. The local board known as “The Ontario Soybean Growers’ Marketing Board” is continued under the name “Ontario Soybean Growers”.

5. (1) The local board shall be composed of that number of members that are established in accordance with section 9.

(2) A member’s term of office lasts until his or her successor takes office.

6. (1) The local board shall establish districts according to the following rules:

1. A district shall be made up of one or more counties or regional municipalities and, if it is made up of more than one county or regional municipality, they shall be contiguous.

2. A district shall account for at least 5 per cent of all producers in the province and 5 per cent of all soybeans marketed.

(1.1) For the purpose of paragraph 2 of subsection (1), a percentage is determined by calculating the average over the previous three years of the percentage of all producers in the province that reside in a potential district and the average over the previous three years of the percentage of all soybeans marketed by those producers.

(1.2) The local board may at any time adjust its districts in accordance with the rules set out in subsection (1).

(1.3) The local board shall review its districts and consider whether to adjust them,

(a) by December 31, 1999;

(b) within five years of the review under clause (a); and

(c) within five years of each subsequent review under clause (b).

(1.4) Adjustments made to districts under this section apply to elections held after the adjustments are made.

(2) A producer who resides in a district is a member of the group of producers for that district.

(3) A producer who does not reside in a district is a member of the group of producers for the district nearest to his or her place of residence.

7. There shall be a committee in each district to be known as the "District Soybean Growers' Committee".

8. (1) On or before January 25, 2000 and every subsequent year, the members of each group of producers shall elect from among themselves to the group's District Soybean Growers' Committee the number of members determined in the following manner:

1. Calculate the percentage of producers and soybeans marketed in the district as determined under subsection 9 (2).

2. Multiply the percentage determined under paragraph 1 by 125.

3. If the number determined under paragraph 2 includes a fraction, round the number up or down to the nearest whole number.

(2) For the purpose of paragraph 3 of subsection (1), a number which includes the fraction .5 shall be rounded up.

(3) On or before January 25, 2000 and every subsequent year, the members of each group of producers for the district containing the County of Essex shall elect from among themselves to the group's District Soybean Growers' Committee one member from Pelee Island in addition to the members elected under subsection (1).

(4) The term of office of members elected under this section is one year or until their successors are elected.

(5) The term of office for members elected before January 25, 2000 ends when their successors are elected under this section.

9. (1) The local board shall establish the number of members of the local board for each district according to the following rules:

1. A district shall have at least one member.
2. A district with 13 per cent or more but less than 20 per cent of all producers and all soybeans marketed shall have two members.
3. A district with 20 per cent or more but less than 26 per cent of all producers and all soybeans marketed shall have three members.
4. A district with 26 per cent or more of all producers and all soybeans marketed shall have four members.

(2) A percentage under paragraphs 2, 3 and 4 of subsection (1) is determined in the following manner:

1. Calculate the average over the previous three years of the percentage of all producers in the province that reside in the district and weight that average 50 per cent.
2. Calculate the average over the previous three years of the percentage of all soybeans marketed by those producers and weight that average 50 per cent.
3. Add the weighted averages calculated under paragraphs 1 and 2.

(3) The local board may adjust the number of its members for each district at any time in accordance with the rules set out in subsection (1).

(3.1) Adjustments made to the number of members for a district under this section apply to elections held after the adjustments are made.

(4) On or before the 31st day of January in each year a District Soybean Growers' Committee shall elect the members of the local board for its district.

10. (1) At its first meeting after the 31st day of January, the members elected to the local board shall appoint such members as are necessary to complete the local board.

(2) Where a member elected or appointed to the local board dies, resigns or is unable or unwilling to act as a member, the other members of the local board may appoint a person to replace the member for the unexpired term.

11. No person is eligible for election or appointment to the local board from a district unless the person is a member of the group of producers for the district.

R.R.O. 1990, Reg. 432, Sched.; O. Reg. 786/92, s. 1; O. Reg. 461/99, ss. 1-4.