

Farm Products Marketing Act

R.R.O. 1990, REGULATION 428

Amended to O. Reg. 129/06

SEED-CORN — 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 within Ontario of seed-corn. R.R.O. 1990, Reg. 428, s. 1.
2. The local board named in the Schedule is given the powers set out in subsection 15 (1) and sections 50 and 110 of the Co-operative Corporations Act and the power set out in subsection 15 (4) of that Act to accept extra-provincial powers and rights. O. Reg. 449/95, s. 1.
3. The members of the local board shall be deemed to be the shareholders and the directors thereof in the exercise of any of the powers mentioned in section 2. R.R.O. 1990, Reg. 428, s. 3.

Schedule
PLAN

Farm Products Marketing Act

1. This plan may be cited as “The Ontario Seed-Corn Growers’ Marketing Plan”.
2. In this plan,
“dealer” means a person who contracts with a producer for the production of seed-corn; (“marchand”)
“producer” means a person engaged in the production of seed-corn; (“producteur”)
“seed-corn” means the seed of hybrid corn, or open-pollinated corn, of every kind or variety produced in Ontario for seed purposes, but does not include the seed of sweet corn and popcorn. (“maïs de semence”)
3. This plan provides for the control and regulation in any or all respects of the producing and marketing within Ontario of seed-corn.
4. The local board known as “The Ontario Seed-corn Growers’ Marketing Board” is continued under the name “Seed-Corn Growers of Ontario”.
5. The local board shall be composed of seven members.
6. (1) No producer is entitled to vote in an election of the local board unless registered with the local board as a producer in the current or previous year.
(2) The producer’s vote shall be exercised by,
(a) the producer, if the producer is an individual; or

(b) an individual whom the producer has designated in writing, if the producer is not an individual.

(3) No person is entitled to be a member of the local board unless the person is,

(a) a producer entitled to vote in an election of the local board, if the producer is an individual;
or

(b) an individual whom a producer entitled to vote in an election of the local board has designated in writing, if the producer is not an individual.

7. Producers are divided into three districts as follows:

1. District 1, comprising the County of Essex.
2. District 2, comprising the County of Kent.
3. District 3, comprising that part of Ontario other than the counties of Essex and Kent.

8. The registered producers in each district shall on or before the 31st day of March in each year elect a member or members to the local board as follows:

1. District 1, one member.
2. District 2, five members.
3. District 3, one member.

8.1 (1) If the producers in a district fail to elect a member as required under section 8, the producers in the three districts shall together elect the number of producers required to complete membership on the local board.

(2) In an election held to complete membership on the local board, a producer from any district may be elected.

8.2 (1) If the producers fail to elect the required number of members by March 31 in a year under sections 8 and 8.1, the members of the local board may appoint from any district the number of producers required to complete the membership.

(2) Subject to section 8.3, a member of the local board shall hold office for two years.

8.3 (1) This section sets out the rules governing the term of office of members of the local board elected in 1999.

(2) The term of office of the member elected from District 1 is two years.

(3) The term of office of the members elected from District 2 is one year but the members may, in the alphabetical order of their surnames, choose a two-year term of office until two members have chosen a two-year term.

(4) The term of office of the member elected from District 3 is one year.

9. (1) If a member of the local board dies, resigns or is unable or unwilling to act, the other members of the local board may,

(a) appoint, as a replacement for the remainder of the term of office, a registered producer in the district that elected the member; or

(b) call a by-election to replace the member.

(2) A producer is not entitled to vote in a by-election unless registered as a producer in the district in which the registered producers elected the member of the local board who is being replaced at the by-election.

R.R.O. 1990, Reg. 428, Sched.; O. Reg. 3/93, s. 1; O. Reg. 449/95, s. 2; O. Reg. 87/99, s. 1; O. Reg. 464/99, s. 1.