

Commodity Boards and Marketing Agencies Act
R.S.O. 1990, CHAPTER C.19

Consolidation Period: From December 31, 1990 to the e-Laws currency date.

No amendments.

Definitions

1. In this Act,
“commodity board” means a local board under the Farm Products Marketing Act or a marketing board under the Milk Act; (“commission de produits agricoles”)

“marketing agency” means a marketing agency of Canada that is authorized to exercise powers of regulation in relation to the marketing of a regulated product in interprovincial or export trade and that has been granted authority to regulate the marketing of the regulated product locally within Ontario; (“agence de commercialisation”)

“regulated product” means a natural product of agriculture that is regulated by a commodity board or a marketing agency. (“produit réglementé”) R.S.O. 1990, c. C.19, s. 1.

Lieutenant Governor in Council may grant authority re levies or charges

2. (1) The Lieutenant Governor in Council may by regulation grant to any commodity board or marketing agency in relation to the marketing of any regulated product locally within Ontario authority to fix, impose and collect levies or charges from persons engaged in the production or marketing of the whole or any part of the regulated product and for such purpose to classify such persons into groups and fix the levies or charges payable by the members of the different groups in different amounts, and to use such levies or charges for the purposes of such commodity board or marketing agency, including the creation of reserves, the payment of expenses and losses resulting from the sale or disposal of any such regulated product, and the equalization or adjustment among producers of any regulated product of money realized from the sale thereof during such period or periods of time as the commodity board or marketing agency may determine. R.S.O. 1990, c. C.19, s. 2 (1).

Regulation may require deduction of levies or charges

(2) The Lieutenant Governor in Council may in a regulation made under subsection (1) require any person who receives a regulated product to deduct from the money payable for the regulated product any levies or charges payable to a commodity board or marketing agency by the person from whom the first-named person receives the regulated product and to forward such levies or charges to the commodity board or marketing agency or its agent designated for that purpose. R.S.O. 1990, c. C.19, s. 2 (2).

Authority of commodity board or marketing agency to make regulations, etc.

(3) Where the Lieutenant Governor in Council authorizes a commodity board or marketing agency to exercise any of the powers mentioned in subsection (1), the commodity board or marketing agency, in the exercise of such powers, may make regulations or orders or issue directions. R.S.O. 1990, c. C.19, s. 2 (3).

Authority may be revoked

(4) The Lieutenant Governor in Council may by regulation revoke any authority granted under subsection (1). R.S.O. 1990, c. C.19, s. 2 (4).

Regulations

3. The Lieutenant Governor in Council may make regulations prescribing the terms and conditions governing the granting and revocation of authority under section 2 and generally may make regulations in respect of any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1990, c. C.19, s. 3.

Offence

4. (1) Every person who fails to comply with or contravenes any of the provisions of any regulation or order made or any direction issued under this Act is guilty of an offence and on conviction is liable for a first offence to a fine of not more than \$2,000 and for a subsequent offence to a fine of not more than \$5,000. R.S.O. 1990, c. C.19, s. 4 (1).

Onus

(2) In any prosecution or action under this Act, the act or omission complained of, in respect of which the prosecution or action was instituted, shall, unless the accused or defendant proves the contrary, be deemed to relate to the marketing of a regulated product locally within Ontario. R.S.O. 1990, c. C.19, s. 4 (2).