

The Sheep Development Plan Regulations, 2013

being

[Chapter A-15.21 Reg 16](#) (effective December 20, 2013) as amended by Saskatchewan Regulations [74/2015](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

	PART I		PART IV
	Title and Interpretation		Registration
1	Title	21	Registration of producers
2	Interpretation	22	Registration of dealers
	PART II	23	Suspension and cancellation of registrations
	Plan		PART V
3	Plan continued		Levies
4	Application	24	Collection of levies
5	Purpose		PART VI
	PART III		Board Orders
	Board	25	Board orders
6	Board		PART VII
7	Powers of board		Elections
8	Books and records	26	Voting
9	Appointment of auditor	27	Nominations
10	Committees	28	Returning officer and scrutineer
11	Chairperson and vice-chairperson	29	Conduct of elections
12	Quorum	30	Failure to receive documents does not invalidate election
13	Policies re conflict of interest and code of conduct	31	Election results
14	Conflicts of interest	32	Terms of office, vacancy
15	Bank accounts	33	Retention of ballots
16	Investments	34	Challenge to election results
17	Fiscal year		PART VIII
18	Financial Plan		Repeal, Transitional and Coming into Force
19	Meetings of registered producers	35	R.R.S. c.A-15.2 Reg 3 repealed
20	Regional meetings	36	Transitional
		37	Coming into force

CHAPTER A-15.21 REG 16

The Agri-Food Act, 2004

PART I

Title and Interpretation

Title

- 1 These regulations may be cited as *The Sheep Development Plan Regulations, 2013*.

Interpretation

- 2(1) In these regulations:

- (a) “**Act**” means *The Agri-Food Act, 2004*;
- (b) “**board**” means the development board known as the Saskatchewan Sheep Development Board continued pursuant to section 6;
- (c) “**business day**” means a day other than a Saturday, Sunday or holiday;
- (d) “**dealer**” means a person who buys or sells sheep, or who offers to buy or sell sheep, on his or her own account or on account of some other person, either directly from producers or from others having sheep for sale, regardless of the use to which the sheep are to be put, but does not include a Saskatchewan farmer or rancher who purchases sheep required for the development or maintenance of his or her farm or ranch, provided that the majority of those sheep are not sold within 30 days after purchase;
- (e) “**director**” means a director of the board elected or appointed in accordance with these regulations;
- (f) “**plan**” means the Saskatchewan Sheep Development Plan continued pursuant to section 3;
- (g) “**processing**” means changing the nature, size, quality or condition of sheep by mechanical or other means and includes slaughter;
- (h) “**processor**” means any person engaged in the business of processing sheep;
- (i) “**producer**” means:
 - (i) any person engaged in the production, marketing or production and marketing of sheep, not including a dealer or a processor, and includes the employer of that person;
 - (ii) a person who, under any lease or agreement, is entitled to a share of the sheep raised by a person mentioned in subclause (i) or the proceeds from the sale of those sheep;
 - (iii) a person who takes possession of any sheep under any form of security or legal proceeding for a debt;

- (j) **“region”** means a region established pursuant to subsection (4);
 - (k) **“registered dealer”** means a dealer:
 - (i) who is registered with the board pursuant to section 22; and
 - (ii) whose registration has not been suspended or cancelled pursuant to section 23;
 - (l) **“registered producer”** means a producer:
 - (i) who is registered with the board pursuant to section 21; and
 - (ii) whose registration has not been suspended or cancelled pursuant to section 23;
 - (m) **“sheep”** means a sheep of any variety, grade or class and includes:
 - (i) a live sheep;
 - (ii) a sheep carcass;
 - (iii) a part of a sheep carcass;
 - (iv) a live lamb, a lamb carcass or part of a lamb carcass.
- (2) Notwithstanding that a registered producer may have production or marketing facilities in more than one region, no registered producer is entitled to be registered in more than one region.
- (3) If a registered producer has production or marketing facilities in more than one region, the registered producer shall elect, on registration pursuant to section 21, the region in which he or she will be registered.
- (4) Saskatchewan is divided into five regions for the purposes of these regulations and the board shall, by board order:
- (a) taking into consideration the number of producers and production numbers for each region, determine the boundaries of the five regions; and
 - (b) provide a map of the five regions.

3 Jan 2014 cA-15.21 Reg 16 s2.

PART II Plan

Plan continued

- 3 The Saskatchewan Sheep Development Plan is continued.

3 Jan 2014 cA-15.21 Reg 16 s3.

Application

- 4 Subject to any exemptions made by board order, the plan and the orders of the board made pursuant to the plan apply:
- (a) throughout Saskatchewan; and
 - (b) to all persons engaged in the production, marketing or production and marketing of sheep in Saskatchewan.

3 Jan 2014 cA-15.21 Reg 16 s4.

Purpose

- 5(1) The general purpose of the plan is to establish a system to provide for the orderly and effective development of the Saskatchewan sheep industry.
- (2) Without limiting the generality of subsection (1), the specific purposes of the plan are:
- (a) to coordinate and inform sheep producers on matters relating to the production and marketing of sheep;
 - (b) to promote harmony and communication within the sheep industry;
 - (c) to develop the potential of the sheep industry through extension and development of the marketing and promotion of sheep; and
 - (d) to ensure the provision of services required to promote the profitable marketing of sheep.

3 Jan 2014 cA-15.21 Reg 16 s5.

**PART III
Board****Board**

- 6(1) The Sheep Development Board, continued as a development board pursuant to *The Sheep Development Plan Regulations, 1996*, as those regulations existed before the coming into force of these regulations, is continued as a development board pursuant to the Act under the name of the Saskatchewan Sheep Development Board.
- (2) The board consists of six directors.
- (3) Subject to clause (4)(b), one director is to be elected in accordance with Part VII from each region.
- (4) The board:
- (a) may appoint one director; and
 - (b) if less than five directors are elected pursuant to Part VII, may appoint registered producers as directors as it considers necessary to fill those positions.
- (5) A director appointed by the board pursuant to clause (4)(a) may be any individual.
- (6) The board shall administer the plan.

3 Jan 2014 cA-15.21 Reg 16 s6.

Powers of board

- 7(1) Subject to the other provisions of these regulations, the board may exercise the following powers that are set out in subsection 8(1) of the Act:
- (a) the power to carry out educational, research and developmental programs related to sheep;
 - (b) the power to require any or all persons engaged in the production, marketing or production and marketing of sheep to register with the board;

- (c) the power to set and collect registration fees and charges for services rendered by the board from any person engaged in the production, marketing or production and marketing of sheep;
- (d) the power to set and collect a levy from any person engaged in the production, marketing or production and marketing of sheep;
- (e) the power to categorize into groups persons engaged in the production, marketing or production and marketing of sheep for the purpose of setting and collecting the fees, charges or levies mentioned in clauses (c) and (d);
- (f) the power to set and collect penalties from any person who:
 - (i) is engaged in the production, marketing or production and marketing of sheep; and
 - (ii) contravenes an order of the board;
- (g) the power to recover any unpaid fees, charges, levies or penalties mentioned in clause (c), (d) or (f) by an action in a court of competent jurisdiction;
- (h) the power to require any person engaged in the production, marketing or production and marketing of sheep to furnish the board with any information or records relating to that production or marketing that the board considers necessary;
- (i) the power to market, grade or insure sheep, either as principal or agent;
- (j) the power to:
 - (i) employ any officers and employees that it considers necessary to administer the plan; and
 - (ii) determine the duties, conditions of employment and remuneration of its officers and employees;
- (k) the power to establish or support a group insurance plan, a pension plan, or any other employee benefit programs for its officers and employees mentioned in clause (j) and their dependants;
- (l) the power to use any money received by the board to carry out the purposes of the plan and to pay the expenses of the board;
- (m) the power to borrow, raise or secure the payment of money in any manner that the board considers appropriate for the purpose of administering the plan;
- (n) the power to draw, make, accept, endorse, execute, issue, hypothecate or assign promissory notes, bills of exchange or other negotiable or transferable instruments;
- (o) subject to subsection (3), the power to make grants or loans to any person, organization, agency, institution or body within or outside Saskatchewan, for the purposes of the plan;

- (p) subject to subsection (3), the power to give financial guarantees respecting the indebtedness of any person if the board considers it necessary or advisable for the purposes of the plan;
 - (q) the power to purchase, take on lease or exchange or otherwise acquire real and personal property related to the business of the board, and to insure, sell or otherwise dispose of any of its property;
 - (r) the power to grant a mortgage or security interest in any of the board's real or personal property;
 - (s) subject to section 35 of the Act, the power to enter into any agreement with any person, agency, organization, institution or body within or outside Saskatchewan for any purpose related to the exercise of any of the powers or the carrying out of any of the duties of the board in relation to the plan;
 - (t) the power to:
 - (i) require any person who owes money to a producer with respect to the sale by the producer of sheep to pay the money to the board; and
 - (ii) distribute the money paid to the board pursuant to subclause (i), in the manner determined by the board, to the producer to whom the money is owing;
 - (u) the power to:
 - (i) purchase or acquire by any other means, in the open market or otherwise, any securities of any corporation; and
 - (ii) hold membership in any corporation;
 - (v) the power to:
 - (i) hold, sell, transfer, or otherwise deal with any of the securities mentioned in clause (u); and
 - (ii) exercise any rights, including the right to vote, as:
 - (A) an owner of the securities mentioned in clause (u); or
 - (B) a member;
 - (w) the power to register a business name pursuant to *The Business Names Registration Act*;
 - (x) the power to prescribe the manner in which remuneration and reimbursement for expenses of the directors are to be determined and paid.
- (2) The board shall not regulate or control in any way the production, marketing or production and marketing of sheep.
- (3) Neither the sum of the loans mentioned in clause (1)(o) nor the sum of the financial guarantees mentioned in clause (1)(p) shall exceed 10% each of the board's current assets as reported in the audited financial statement in the board's most recent annual report at the time the loan or the financial guarantee is made or given.

Books and records

- 8(1) The board shall:
- (a) maintain any books and records that may be required for the administration of the plan; and
 - (b) keep those books and records open for inspection by the council at any reasonable time.
- (2) The board shall maintain a registered office and a head office in Saskatchewan.
- (3) The board shall prepare an annual report containing:
- (a) a copy of the audited financial statement of the board for its previous fiscal year;
 - (b) a description of:
 - (i) the state of the industry; and
 - (ii) the activities of the board for its previous fiscal year; and
 - (c) a list of the names and addresses of the directors.
- (4) The board shall make the annual report available:
- (a) to the council;
 - (b) at the next annual general meeting of registered producers; and
 - (c) on request to any registered producer.

3 Jan 2014 cA-15.21 Reg 16 s8.

Appointment of auditor

- 9(1) The registered producers:
- (a) shall, at each annual general meeting, appoint an auditor to audit the books, records and financial statements of the board for the current fiscal year; and
 - (b) may, at any special general meeting, appoint an auditor to audit the books, records and financial statements of the board for the current fiscal year.
- (2) If the registered producers fail to appoint an auditor pursuant to clause (1)(a) for a fiscal year, the council shall appoint an auditor to audit the books, records and financial statements of the board for that fiscal year.
- (3) Any person appointed as auditor pursuant to this section must:
- (a) be independent of:
 - (i) the board; and
 - (ii) the directors and officers of the board; and
 - (b) be a member in good standing of a recognized accounting profession that is regulated by an Act.

3 Jan 2014 cA-15.21 Reg 16 s9.

Committees

10(1) The board may appoint any committee that it considers necessary or desirable for the proper operation of the plan.

(2) The members of a committee appointed pursuant to this section are entitled to any remuneration and reimbursement for expenses that the board may determine.

3 Jan 2014 cA-15.21 Reg 16 s10.

Chairperson and vice-chairperson

11(1) The board shall elect a chairperson and vice-chairperson from among the directors at their first meeting in each year after new directors have been elected, not including any by-election that may be held in accordance with section 32.

(2) The chairperson and vice-chairperson hold office at the pleasure of the board.

(3) The chairperson, or in the absence of the chairperson the vice-chairperson, shall preside over all meetings of the board.

3 Jan 2014 cA-15.21 Reg 16 s11.

Quorum

12 For the transaction of business at a duly called meeting of the board:

(a) a majority of the directors constitutes a quorum; and

(b) a decision of a majority of those directors constituting a quorum is a decision of the board.

3 Jan 2014 cA-15.21 Reg 16 s12.

Policies re conflict of interest and code of conduct

13 Within 18 months after the coming into force of these regulations, the board shall prepare and submit to the council:

(a) a conflict of interest policy for the directors; and

(b) a policy respecting a code of conduct for the directors.

3 Jan 2014 cA-15.21 Reg 16 s13.

Conflicts of interest

14(1) No director shall:

(a) fail to disclose to the board any conflict of interest that the director may have; or

(b) vote on any matter with respect to which the director has any direct or indirect financial interest that is different from the financial interest of other producers.

(2) If the board is uncertain whether or not a director has a conflict of interest mentioned in clause (1)(a) or (b), the board must adjourn the matter until the conflict of interest issue is resolved pursuant to the policies mentioned in section 13.

3 Jan 2014 cA-15.21 Reg 16 s14.

Bank accounts

15 The board may open accounts in the name of the board in a bank, credit union or trust corporation licensed pursuant to *The Trust and Loan Corporations Act, 1997* and appoint signing officers.

3 Jan 2014 cA-15.21 Reg 16 s15.

Investments

16 The board may:

- (a) invest any money in its possession or control that is not immediately required for a purpose of the plan or its operations in any security or class of securities authorized for investment of money in the general revenue fund pursuant to *The Financial Administration Act, 1993*; and
- (b) dispose of any investment made pursuant to clause (a) in any manner, on any terms and in any amount that the board considers expedient.

3 Jan 2014 cA-15.21 Reg 16 s16.

Fiscal year

17 The fiscal year of the board is the period commencing on October 1 in one year and ending on September 30 in the following year.

3 Jan 2014 cA-15.21 Reg 16 s17.

Financial Plan

18 The board shall prepare and approve a financial plan of its operations at the beginning of each fiscal year.

3 Jan 2014 cA-15.21 Reg 16 s18.

Meetings of registered producers

19(1) An annual general meeting of registered producers:

- (a) is to be held in each year within five months after the end of the board's fiscal year; and
- (b) is to be held at a place and time determined by the board.

(2) The board:

- (a) may call a special general meeting of registered producers at any time; and
- (b) shall call a special general meeting on the written request of:
 - (i) the council; or
 - (ii) not less than 10 registered producers.

(3) The board shall notify all registered producers, in writing:

- (a) for an annual general meeting of registered producers, of the date, time, location and agenda not less than 30 days before the date on which the annual general meeting commences; and
- (b) for a special general meeting of registered producers, of the date, time, location and agenda not less than 15 days before the date on which the special general meeting commences.

- (4) The notice mentioned in subsection (3) may be sent:
- (a) by ordinary or registered mail; or
 - (b) at the request of a registered producer, by facsimile or electronic mail.
- (5) If a notice is sent pursuant to clause (4)(b), it is deemed to be received on the next business day after it was sent.
- (6) The quorum at an annual or special general meeting of registered producers is 10 registered producers.
- (7) The board shall present to the annual general meeting:
- (a) a proposed budget for the current fiscal year;
 - (b) an annual report for the previous fiscal year; and
 - (c) an outline of programs and activities it has planned for the current fiscal year.
- (8) Any change to the remuneration to be paid to the directors is to be determined by motion of the board and approved by a vote of registered producers at the next annual general meeting or special general meeting.

3 Jan 2014 cA-15.21 Reg 16 s19; 28 Aug 2015
SR 74/2015 s2.

Regional meetings

- 20(1)** The board may, at any time, call a meeting of the registered producers in a region for the purpose of discussing any business placed on the agenda by the board.
- (2) The board shall give reasonable notice of a meeting held pursuant to this section to the registered producers in the region.
- (3) The quorum at a meeting held pursuant to this section is 10 registered producers from the region.

3 Jan 2014 cA-15.21 Reg 16 s20.

PART IV Registration

Registration of producers

- 21(1)** Every producer shall register with the board at the time and in the manner determined by order of the board.
- (2) The board shall keep and maintain at its head office a register containing the name, address and registration number of each registered producer.

3 Jan 2014 cA-15.21 Reg 16 s21.

Registration of dealers

- 22(1)** Every dealer shall register with the board at the time and in the manner determined by the board.
- (2) The board shall keep and maintain at its head office a register containing the name, address and registration number of each registered dealer.

3 Jan 2014 cA-15.21 Reg 16 s22.

Suspension and cancellation of registrations

23(1) The board may cancel or suspend a registration if the registered producer or registered dealer, as the case may be, has contravened:

- (a) the Act;
- (b) the plan;
- (c) these regulations; or
- (d) an order or direction of the board.

(2) The board shall establish, by order, procedures respecting the cancellation or suspension of a registration pursuant to this section.

(3) If the board suspends or cancels a registration pursuant to this section, the board must advise the registered producer or registered dealer, as the case may be, in writing of its decision.

3 Jan 2014 cA-15.21 Reg 16 s23.

PART V
Levies

Collection of levies

24(1) Every producer shall pay to the board, at the times and in the manner determined by the board, a levy in an amount determined by order of the board.

(2) The board shall provide registered producers and registered dealers:

- (a) an opportunity to discuss the rate of the levy at annual general meetings and special general meetings; and
- (b) at least 10 business days' notice that the rate of the levy is to be discussed at an annual general meeting or special general meeting.

(3) The board may require any dealer to:

- (a) deduct the levy mentioned in subsection (1), and other fees and charges on sheep levied pursuant to these regulations, from any payment made to a producer; and
- (b) forward the levy and other fees and charges to the board.

(4) The board may require any producer to:

- (a) deduct the levy mentioned in subsection (1), and other fees and charges on sheep levied pursuant to these regulations, from any payment from another producer; and
- (b) forward the levy and other fees and charges to the board.

(5) The board may recover in a court of competent jurisdiction the levies, fees and charges mentioned in this section from producers and dealers.

3 Jan 2014 cA-15.21 Reg 16 s24.

PART VI
Board Orders

Board orders

25(1) The chairperson, or in the absence of the chairperson the vice-chairperson, shall sign every order issued by the board pursuant to section 12 of the Act.

(2) The board shall number in consecutive order, retain and make available for inspection at its head office by any registered producer, registered dealer or any other person designated by the council original copies of all orders that have been approved by the council pursuant to section 12 of the Act.

(3) The board shall:

(a) cause all orders of the board to be published in the Gazette and in any other media it considers appropriate; and

(b) annually review the orders of the board and consolidate them.

3 Jan 2014 cA-15.21 Reg 16 s25.

PART VII
Elections

Voting

26(1) A registered producer is eligible to vote at an election only in the region in which that registered producer is registered in accordance with subsections 2(2) and (3).

(2) Subject to subsection (5), a registered producer that is a corporation, association, society or other designation is entitled to vote or hold office:

(a) only through a designated representative appointed in writing; and

(b) only if notice of that appointment has been filed with the board in a form and manner acceptable to the board.

(3) Except as provided in subsection (2), voting by proxy is prohibited.

(4) Subject to subsection (5), every registered producer is entitled to one vote.

(5) No individual shall be entitled to more than one vote regardless of whether he or she is voting as an individual registered producer or as a designated representative.

3 Jan 2014 cA-15.21 Reg 16 s26.

Nominations

27(1) A registered producer is eligible to be nominated for election as a director representing the region in which the registered producer is registered in accordance with subsections 2(2) and (3).

(2) The board shall:

(a) arrange for the conduct of regional elections;

- (b) fix the last date for receipt of nominations for election to the board; and
 - (c) at least 30 days before the date set pursuant to clause (b), send to each registered producer in the region where the election is being held a notice that:
 - (i) states that nominations are being accepted for election to the board; and
 - (ii) sets out the last date for receiving nominations.
- (3) Every nomination of a candidate for election as a director to represent a region is to be:
- (a) in writing in the form required by the board;
 - (b) signed by:
 - (i) two registered producers from that region;
 - (ii) two designated representatives of registered producers from that region; or
 - (iii) any combination of the persons mentioned in subclauses (i) and (ii) totalling two persons; and
 - (c) delivered to the returning officer on or before the date fixed pursuant to clause (2)(b) for receipt of nominations.

3 Jan 2014 cA-15.21 Reg 16 s27.

Returning officer and scrutineer

- 28(1)** Subject to subsection (2), the board shall appoint a returning officer and a scrutineer to conduct an election pursuant to section 29.
- (2) Producers, dealers, and officers and employees of the board are not eligible to be appointed pursuant to subsection (1).
- (3) The returning officer appointed pursuant to subsection (1) is responsible for all administrative procedures relating to conducting an election.
- (4) The scrutineer appointed pursuant to subsection (1) is responsible for scrutinizing all actions related to conducting an election.

3 Jan 2014 cA-15.21 Reg 16 s28.

Conduct of elections

- 29(1)** If not more than the required number of candidates are nominated pursuant to section 27, the candidates nominated are deemed to be elected by acclamation.
- (2) If more than one nomination is made for any position to be filled by election, the board shall:
- (a) fix a date for a regional election, which shall be no later than eight weeks after the last day of the previous fiscal year; and

- (b) at least 15 business days before the date fixed pursuant to clause (a), send to every registered producer in the region:
- (i) the ballot;
 - (ii) a profile of every candidate in the region;
 - (iii) a certificate of eligibility to vote; and
 - (iv) a notice that states the time, date and place to which the ballot and certificate of eligibility to vote are to be returned.
- (3) The documents and notice mentioned in clause (2)(b) may be sent by ordinary or registered mail.
- (4) Every registered producer that intends to vote in an election shall:
- (a) complete and sign the certificate of eligibility to vote;
 - (b) complete the ballot provided by the board; and
 - (c) seal the ballot and certificate of eligibility to vote in an envelope and return it to the returning officer, either in person or by mail, by the date fixed for them to be returned.
- (5) The returning officer shall prepare and submit a written report to the chairperson that declares the candidate receiving the greatest number of votes in the region to be the director of the board representing that region.
- (6) The ballot of a registered producer is not valid if:
- (a) the certificate of eligibility is not returned with the ballot;
 - (b) the registered producer votes for more than one candidate;
 - (c) it is defaced;
 - (d) it is marked in any way other than to vote for a candidate;
 - (e) it is not the original ballot provided by the board; or
 - (f) the individual who voted for the registered producer voted more than once.
- (7) Ties between candidates are to be decided by the drawing of lots.

3 Jan 2014 cA-15.21 Reg 16 s29.

Failure to receive documents does not invalidate election

30 The failure of any registered producer to receive the documents mentioned in clause 29(2)(b) does not invalidate the election.

3 Jan 2014 cA-15.21 Reg 16 s30.

Election results

31(1) The chairperson shall read the written report prepared pursuant to subsection 29(5) at the first annual general meeting of registered producers after the election, immediately after the minutes of the previous meeting have been dealt with.

(2) The reading of the written report pursuant to subsection (1) is deemed to be the declaration of the directors.

3 Jan 2014 cA-15.21 Reg 16 s31.

Terms of office, vacancy

32(1) Subject to subsection (4), a director holds office:

(a) in the case of an elected director, for a term of two years commencing with the declaration of the director's election by the chairperson and until the director's successor is elected or appointed; or

(b) in the case of a director appointed pursuant to clause 6(4)(a), for a term of two years commencing at the close of the first annual general meeting held following the appointment, and until the director's successor is appointed.

(2) Subject to subsection (3), a director is eligible for re-election or reappointment.

(3) If a director has completed three consecutive terms, he or she is not eligible for re-election or reappointment until one year has passed since the completion of the director's third consecutive term.

(4) The office of director becomes vacant if a director:

(a) ceases to qualify as a registered producer;

(b) resigns, dies or is unable to act;

(c) is absent from two consecutive meetings of the board without being excused by resolution of the board; or

(d) fails to fulfil his or her duties as established by the policy of the board and approved by the council.

(5) If the office of a director for a region becomes vacant, the board may:

(a) appoint a registered producer from that region as a director to fill the vacancy until the next election; or

(b) call a by-election for that region, within seven business days, to fill the vacancy if there are more than 90 days remaining before the expiry of the term of the director whose office is vacant.

(6) Subject to subsection (7), sections 26 to 30, 33 and 34 apply, with any necessary modification, to the conduct of a by-election pursuant to subsection (5).

(7) The returning officer shall declare the candidate receiving the greatest number of votes to be a director.

(8) Subject to subsection (4), a director elected at a by-election held pursuant to subsection (5) holds office commencing with the declaration of the director's election by the returning officer and until the director's successor is elected at the expiry of the term of the director whose office became vacant.

3 Jan 2014 cA-15.21 Reg 16 s32.

Retention of ballots

33 The returning officer shall:

- (a) retain the ballots in his or her possession; and
- (b) not destroy any ballot or other record respecting an election of directors until 95 days after the annual general meeting of registered producers at which the chairperson declared the results of the election.

3 Jan 2014 cA-15.21 Reg 16 s33.

Challenge to election results

34(1) Any registered producer may challenge the results of an election of directors, as declared by the chairperson pursuant to section 31, by submitting a written objection to the council.

(2) A written objection submitted pursuant to subsection (1) must:

- (a) set out the grounds for the objection; and
- (b) be received by the council within 90 days after the annual general meeting of registered producers at which the chairperson declared the results of the election.

(3) If the council receives a written objection in accordance with this section and is satisfied that the objection is neither frivolous nor vexatious, the council may appoint a vote recount officer to conduct a recount of the votes cast in the election.

(4) If the council appoints a vote recount officer pursuant to subsection (3), the results of the election as determined by the vote recount officer are final.

3 Jan 2014 cA-15.21 Reg 16 s34.

PART VIII
Repeal, Transitional and Coming into Force

R.R.S. c.A-15.2 Reg 3 repealed

35 *The Sheep Development Plan Regulations, 1996* are repealed.

3 Jan 2014 cA-15.21 Reg 16 s35.

Transitional

36 On the coming into force of these regulations, the board is to consist of the directors of the board who held office pursuant to *The Sheep Development Plan Regulations, 1996* on the day before these regulations came into force, and those directors continue to hold office as if they had been elected or appointed pursuant to these regulations until their successors are elected or appointed pursuant to these regulations.

3 Jan 2014 cA-15.21 Reg 16 s36.

Coming into force

37 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

3 Jan 2014 cA-15.21 Reg 16 s37.