
THE FARM PRODUCTS MARKETING ACT
(C.C.S.M. c. F47)

Chicken Broiler Quota Order, amendment*

Regulation 110/2007
Registered August 20, 2007

Manitoba Regulation 228/2006 amended

1 The Chicken Broiler Quota Order, Manitoba Regulation 228/2006, is amended by this Order.

2(1) Subclause 9(c)(i) is amended by striking out "approximately one-third (1/3) of the Shortfall" and substituting "approximately one-half (1/2) of the Shortfall".

2(2) Section 9 is amended by adding the following at the end:

Any allotment of the Shortfall made pursuant to subclause (c)(i) or (ii) will be conditional upon the selected person or the registered producer satisfying the board that such party is the registered owner or the sole operator of a facility that meets all of the requirements and standards for buildings or equipment established by the board for the purpose of producing such party's proposed allotment of the Shortfall within 12 months of the date of the receipt of notice from the board of the proposed allotment.

3 Section 47 is amended by adding the following at the end:

The registered producer and the parties to the transfer will each be required to provide to the board a written undertaking, in a form satisfactory to the board, stating that such party will not apply

(a) for a retirement payment under the Retirement and Basic Allotment Reallocation Program;

(b) for the approval of a change in the beneficial ownership of the registered producer pursuant to Part X;

(c) for the approval of an association of the registered producer with another registered producer pursuant to Part XI;

* This order is made under the *Manitoba Chicken Broiler Producers Marketing Plan Regulation*, Manitoba Regulation 246/2004, and is Order No. 3, 2007 of Manitoba Chicken Producers.

(d) for the reallocation of the quotas and allotments allotted to the registered producer pursuant to Part XII; or

(e) to relocate the facilities of the registered producer under section 71;

for a minimum of five years following such waiver unless such party has first received the approval of the Manitoba Council to such application.

4 Section 53 is amended by adding the following at the end:

The registered producers will each be required to provide to the board a written undertaking, in a form satisfactory to the board, stating that such party will not apply

(a) for a retirement payment under the Retirement and Basic Allotment Reallocation Program;

(b) for the approval of a change the beneficial ownership of the registered producer pursuant to Part X;

(c) for the approval of an association the registered producer with another registered producer pursuant to Part XI;

(d) for the reallocation of the quotas and allotments allotted to the registered producer pursuant to Part XII; or

(e) to relocate the facilities of the registered producer under section 71;

for a minimum of five years following such waiver unless such party has first received the approval of the Manitoba Council to such application.

5 The fourth paragraph of section 56 is replaced with the following:

The purchaser will be required to provide to the board a written undertaking, in a form satisfactory to the board, stating that the purchaser will not apply

(a) for a retirement payment under the Retirement and Basic Allotment Reallocation Program;

(b) for the approval of a change in the beneficial ownership of the registered producer pursuant to Part X;

(c) for the approval of an association of the registered producer with another registered producer pursuant to Part XI;

(d) for the reallocation of the quotas and allotments allotted to the registered producer pursuant to Part XII; or

(e) to relocate the facilities of the registered producer under section 71;

for a minimum of five years following such reallocation unless such party has first received the approval of the Manitoba Council to such application.

6 The fifth paragraph of section 57 is replaced with the following:

The purchaser will be required to provide to the board a written undertaking, in a form satisfactory to the board, stating that the purchaser will not apply

- (a) for a retirement payment under the Retirement and Basic Allotment Reallocation Program;
- (b) for the approval of a change in the beneficial ownership of the registered producer pursuant to Part X;
- (c) for the approval of an association of the registered producer with another registered producer pursuant to Part XI;
- (d) for the reallocation of the quotas and allotments allotted to the registered producer pursuant to Part XII; or
- (e) to relocate the facilities of the registered producer under section 71;

for a minimum of five years following such reallocation unless such party has first received the approval of the Manitoba Council to such application.

7 Section 63 is amended by adding the following at the end:

The applicant and the recipient will each be required to provide to the board a written undertaking, in a form satisfactory to the board, stating that such party will not apply

- (a) for a retirement payment under the Retirement and Basic Allotment Reallocation Program;
- (b) for the approval of a change in the beneficial ownership of the registered producer pursuant to Part X;
- (c) for the approval of an association of the registered producer with another registered producer pursuant to Part XI;
- (d) for the reallocation of the quotas and allotments allotted to the registered producer pursuant to Part XII; or
- (e) to relocate the facilities of the registered producer under section 71;

for a minimum of five years following the reallocation unless such party has first received the approval of the Manitoba Council to such application.

8 The fifth paragraph of section 64 is replaced with the following:

The applicant and the intended recipient will each be required to give to the board a written undertaking, in a form satisfactory to the board, stating that such party will not apply

- (a) for a retirement payment under the Retirement and Basic Allotment Reallocation Program;

(b) for the approval of a change in the beneficial ownership of the registered producer pursuant to Part X;

(c) for the approval of an association of the registered producer with another registered producer pursuant to Part XI;

(d) for the reallocation of the quotas and allotments allotted to the registered producer pursuant to Part XII; or

(e) to relocate the facilities of the registered producer under section 71;

for a minimum of five years following the reallocation unless such party has first received the approval of the Manitoba Council to such application.

9 Section 74 is replaced with the following:

No application for change of facility for five years

74 In the event the board

(a) approves a change in the beneficial ownership of a registered producer pursuant to Part X;

(b) approves an association of persons who are registered producers pursuant to the provisions of Part XI; or

(c) reallocates the quotas and allotments allotted to a registered producer pursuant to Part XII;

it shall be a condition of such reallocation or such approval that the applicants for such approval or reallocation must acknowledge that only in the event of an unforeseen contingency acceptable to the Manitoba Council will a party be permitted to apply to transfer such quotas and allotments from the facility specified for use in connection with such quotas and allotments at the time of the change, association or reallocation, to a facility located on another property for a period of at least five years following the approval of such change, association or reallocation.

10 The fourth paragraph of section 8 of the Schedule is replaced with the following:

A person who has been allocated an increase in basic allotment under subclause 9(c)(i) of this Order shall not be entitled to submit an Offer which would result in the basic allotment allotted to such person being reduced below the level established prior to such allotment for a minimum of five years following the effective date of such allotment.

May 24, 2007

MANITOBA CHICKEN PRODUCERS:

Waldie Klassen
Chair

Wayne Hiltz
Secretary

APPROVED

August 13, 2007

MANITOBA FARM PRODUCTS
MARKETING COUNCIL:

David Gislason
Chair

Gordon H. MacKenzie
Secretary