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This version was current for the period set out in the footer below. Any amendment enacted after 31 May 2026 with retroactive effect is not included.

It was the first version.

Version archivée

La présente version était à jour pendant la période indiquée en bas de page. Les modifications rétroactives édictées après le 31 mai 2026 n'y figurent pas.

Il s'agit de la première version.

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

Hog Administration Levy Regulation*

Regulation 9/2018
Registered January 26, 2018

TABLE OF CONTENTS

Section

1 Definitions
2 Levy imposed on hog marketings
3 Time of imposition re hogs
4 Obligation to deduct and remit re hogs
5 Processor's obligation when taking delivery
6 Producer's obligation to remit if no deduction re hogs
7 Penalty for failure to remit levies on hogs
8 Levy imposed on weanling marketings
9 Time of imposition re weanlings
10 Obligation to deduct and remit re weanlings
11 Producer's obligation to remit if no deduction re weanlings
12 Penalty for failure to remit levies re weanlings
13 Payment of penalties
14 Interest penalty for delay in forwarding levies or penalties
15 Reduction of penalties or interest
16 Fee for dishonoured cheque
17 Penalty in addition to other levy or penalty
18 Non-application
19 Application of definitions from M.R. 226/2002
20 Repeal

* This regulation is made under the *Manitoba Hog Producers Marketing Plan Regulation*, Manitoba Regulation 226/2002, and is Regulation No. 1, 2018 of Manitoba Pork Council.

Definitions

1 The following definitions apply in this regulation.

"**hog**" means a hog that is not a weanling.

"**producer**" means a person who raises hogs or weanlings within Manitoba.

"**weanling**" means a hog that weighs less than 30 kilograms.

Levy imposed on hog marketings

2 A levy is imposed on each producer of $0.80 for each hog the producer markets.

Time of imposition re hogs

3 The levy imposed under section 2 is due and payable by the producer to the Manitoba Pork Council at the time and place the producer markets the hog.

Obligation to deduct and remit re hogs

4 Each person engaged in marketing hogs must

(a) deduct the levies imposed under this regulation from the monies payable to the producer for hogs; and

(b) forward the levies to the Manitoba Pork Council at its head office at 28 Terracon Place, Winnipeg, Manitoba, R2J 4G7 not later than four days after the last day of each week in which the hogs were marketed, unless otherwise directed in writing by the Manitoba Pork Council.

Processor's obligation when taking delivery

5 If the person required to deduct the levy is engaged in processing hogs, the person must make the deduction when taking delivery of the hogs.

Producer's obligation to remit if no deduction re hogs

6 If no deduction is made under section 4 for hogs marketed by a producer, the producer must remit to the Manitoba Pork Council at its head office at 28 Terracon Place, Winnipeg, Manitoba, R2J 4G7, all levies payable by the producer under this regulation not later than four days after the last day of each week in which the hogs were marketed.

Penalty for failure to remit levies re hogs

7 In the event a producer referred to in section 6 fails to remit the levies imposed on the producer under section 2, in the manner required under section 6, a penalty is imposed on the producer determined as follows:

(a) in the event the levies are received by the Manitoba Pork Council more than four days after the last day of the week in which the hogs were marketed, but not later than 30 days after the last day of the week in which the hogs were marketed, the penalty is $100;

(b) in the event the levies are received by the Manitoba Pork Council more than 30 days but not later than 90 days after the last day of the week in which the hogs were marketed, the penalty is $500; and

(c) in the event the levies are received by the Manitoba Pork Council more than 90 days after the last day of the week in which the hogs were marketed, the penalty is $1,000.

Archived version
Current from 26 Jan. 2018 to 31 May 2026
Version archivée
À jour du 26 janv. 2018 au 31 mai 2026

Levy imposed on weanling marketings

8 A levy is imposed on each producer of $0.19 for each weanling the producer markets.

Time of imposition re weanlings

9 The levy imposed under section 8 is due and payable by the producer to the Manitoba Pork Council at the time and place the producer markets the weanling.

Obligation to deduct and remit re weanlings

10 Each person engaged in marketing weanlings must

(a) deduct the levies imposed under this regulation from the monies payable to the producer for weanlings; and

(b) forward the levies to the Manitoba Pork Council at its head office at 28 Terracon Place, Winnipeg, Manitoba, R2J 4G7 not later than four days after the last day of each week in which the weanlings were marketed, unless otherwise directed in writing by the Manitoba Pork Council.

Producer's obligation to remit if no deduction re weanlings

11 If no deduction is made under section 10 for weanlings marketed by a producer, the producer must remit to the Manitoba Pork Council at its head office at 28 Terracon Place, Winnipeg, Manitoba, R2J 4G7, all levies payable by the producer under this regulation not later than four days after the last day of each week in which the weanlings were marketed.

Penalty for failure to remit levies re weanlings

12 In the event a producer referred to in section 11 fails to remit the levies imposed on the producer under section 8 of this regulation in the manner required under section 11, a penalty is imposed on the producer determined as follows:

(a) in the event the levies are received by the Manitoba Pork Council more than four days after the last day of the week in which the weanlings were marketed, but not later than 30 days after the last day of the week in which the weanlings were marketed, the penalty is $100;

(b) in the event the levies are received by the Manitoba Pork Council more than 30 days but not later than 90 days after the last day of the week in which the weanlings were marketed, the penalty is $500; and

(c) in the event the levies are received by the Manitoba Pork Council more than 90 days after the last day of the week in which the weanlings were marketed, the penalty is $1,000.

Payment of penalties

13 The penalties imposed under section 7 or section 12 are due and payable to the Manitoba Pork Council at its head office at 28 Terracon Place, Winnipeg, Manitoba R2J 4G7 within 15 days following delivery of a notice in writing to the person on whom the penalty is imposed indicating the amount of the penalties and interest penalties determined by the Manitoba Pork Council to be owing by that person.

Archived version
Current from 26 Jan. 2018 to 31 May 2026
Version archivée
À jour du 26 janv. 2018 au 31 mai 2026

Interest penalty for delay in forwarding levies or penalties

14 In the event a person referred to in section 6 or section 11 fails to forward the levies imposed on that person under this regulation or any penalty imposed on that person under this regulation within 15 days following delivery of a notice in writing to that person under section 13, an interest penalty is imposed on that person determined as follows:

(a) the amount on which the interest penalty will be determined will be the aggregate amount of levies and penalties payable by that person to the Manitoba Pork Council under this regulation (the "overdue amount");

(b) the interest rate applicable to the overdue amount will be 10% per annum (the "effective interest rate");

(c) interest will be calculated on the overdue amount at the effective interest rate from the date the overdue amount is due and payable to Manitoba Pork Council until the date that the overdue amount and any interest penalty imposed under this section are received by the Manitoba Pork Council; and

(d) penalty interest will be calculated on the overdue amount at the end of each day and penalty interest will also be payable to the Manitoba Pork Council on any late payment of interest penalty if the interest penalty is not received when due and payable at the interest rate specified in clause (b).

Reduction of penalties or interest

15 The Manitoba Pork Council may reduce any penalty or any interest penalty owed by a person under this regulation or may waive the application of all or a portion of the penalty or interest imposed on that person under this regulation, at the Manitoba Pork Council's sole discretion.

Fee for dishonoured cheque

16 The Manitoba Pork Council may charge a fee of $25 for a cheque or other negotiable instrument that is dishonoured.

Penalty in addition to other levy or penalty

17 Each penalty under this regulation is in addition to any other levy or penalty that may be imposed under this regulation.

Non-application

18 This regulation does not apply

(a) to hogs or to weanlings sold by a producer to another registered producer, provided the hogs or weanlings are subsequently raised or kept in Manitoba by the purchasing producer; or

(b) to weanlings sold by a producer to a buyer who, within 24 hours of the purchase of the weanlings sells the weanlings to a registered producer who subsequently raises or keeps the weanlings in Manitoba.

Application of definitions from M.R. 226/2002

19 Terms defined in the *Manitoba Hog Producers Marketing Plan Regulation*, Manitoba Regulation 226/2002, and used in this regulation have the same meaning in this regulation as in that regulation.

Archived version
Current from 26 Jan. 2018 to 31 May 2026
Version archivée
À jour du 26 janv. 2018 au 31 mai 2026

Repeal

20 The *Hog Administration Levy Regulation*, Manitoba Regulation 151/2005, is repealed.

January 20, 2018 **Manitoba Pork Council:**

George Matheson, Chair
Andrew Dickson, General Manager

APPROVED

January 26, 2018 **Manitoba Farm Products Marketing Council:**

Ed Helwer, Chair
Ingrid Peters-Fransen, Secretary

Archived version
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