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c 156 The Farm Products Marketing Amendment Act, 1972

Ontario

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CHAPTER 156

**An Act to amend
The Farm Products Marketing Act**

*Assented to December 15th, 1972
Session Prorogued December 15th, 1972*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraphs 12 and 13 of subsection 1 of section 8 of *The Farm Products Marketing Act*, being chapter 162 of the Revised Statutes of Ontario, 1970, are repealed and the following substituted therefor:

12. authorizing a local board,

- i. to require that a regulated product be marketed on a quota basis,
- ii. to prohibit any person to whom a quota has not been fixed and allotted for the marketing of a regulated product or whose quota has been cancelled from marketing any of the regulated product,
- iii. to prohibit any person to whom a quota has been fixed and allotted for the marketing of a regulated product from marketing any of the regulated product in excess of such quota, and
- iv. to prohibit any person to whom a quota has been fixed and allotted for the marketing of a regulated product produced on lands or premises in respect of which such quota was fixed and allotted from marketing any of the regulated product other than the regulated product produced on such lands or premises;

13. authorizing a local board,

- i. to fix and allot to persons quotas for the marketing of a regulated product on such basis as the local board considers proper,

- ii. to refuse to fix and allot to any person a quota for the marketing of a regulated product for any reason that the local board considers proper,
- iii. to cancel or reduce, or refuse to increase, a quota fixed and allotted to any person for the marketing of a regulated product for any reason that the local board considers proper, and
- iv. to permit any person to whom a quota has been fixed and allotted for the marketing of a regulated product to market any of the regulated product in excess of such quota on such terms and conditions as the local board considers proper.

s. 8,
amended

(2) The said section 8 is amended by adding thereto the following subsection:

Acts of
marketing
board deemed
administra-
tive

(7) Everything that is done by a local board under the authority of paragraph 13 of subsection 1 shall be deemed to be of an administrative and not of a legislative nature.

s. 21 (2), (b, c).
re-enacted

2.—(1) Clauses *b* and *c* of subsection 2 of section 21 of the said Act are repealed and the following substituted therefor:

(b) authorizing the local board,

- (i) to require that tobacco be produced on a basis of tobacco acreage or other production quota,
- (ii) to prohibit any person to whom a tobacco acreage or other production quota has not been fixed and allotted or whose tobacco acreage or other production quota has been cancelled from producing tobacco,
- (iii) to prohibit any person to whom a tobacco acreage or other production quota has been fixed and allotted from producing any tobacco on acreage in excess of the tobacco acreage, or other production quota, fixed and allotted to such person, and
- (iv) to prohibit any person from producing tobacco on land other than a tobacco farm in respect

of which a tobacco acreage or other production quota has been fixed and allotted to such person;

(c) authorizing the local board,

- (i) to fix and allot to persons tobacco acreages or other production quotas on such basis as the local board considers proper,
- (ii) to refuse to allot to any person a tobacco acreage or other production quota on such basis as the local board considers proper,
- (iii) to cancel or reduce, or refuse to increase, a tobacco acreage or other production quota fixed and allotted to any person for any reason that the local board considers proper.

(2) The said section 21 is amended by adding thereto the following subsections: s. 21, amended

(4a) Where the Board authorizes the local board to exercise any of the powers mentioned in subsection 2, the local board, in the exercise of such powers, may make regulations or orders or issue directions. Exercise of powers by local board

(4b) Everything that is done by the local board under the authority of clause c of subsection 2 shall be deemed to be of an administrative and not of a legislative nature. Actions of local board deemed to be administrative

3.—(1) Every order, regulation or direction heretofore made and everything heretofore done by a local board acting or purporting to act pursuant to authority delegated under paragraph 12 or 13 of subsection 1 of section 8 or under clause a, b or c of subsection 2 of section 21 of *The Farm Products Marketing Act* or any predecessors of such paragraphs or clauses, as the case may be, shall be deemed to have been made or done under *The Farm Products Marketing Act*, as amended by sections 1 and 2 of this Act, and is hereby declared valid and binding for all intents and purposes, and shall be deemed to have been valid and binding for all intents and purposes from the date on which it was made or done. Orders, etc., deemed to be valid and binding
R.S.O. 1970, c. 162

(2) Nothing in subsection 1 limits the powers of The Farm Products Marketing Board under section 11 of *The Farm Products Marketing Act*. No limitation on authority

(3) Nothing in subsection 1 limits the power of a local board, Idem

(a) to amend or revoke any regulation, order or direction;
or

(b) to vary or rescind any decision,

heretofore made.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Farm Products Marketing Amendment Act, 1972*.