

1972

c 155 The Milk Amendment Act, 1972 (No. 1)

Ontario

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CHAPTER 155

An Act to amend The Milk 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 11 and 12 of subsection 1 of section 8 of *The Milk Act*, being chapter 273 of the Revised Statutes of Ontario, 1970, are repealed and the following substituted therefor:

s. 8 (1),
pars. 11, 12,
re-enacted

11. authorizing a marketing 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, and
 - 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;
12. authorizing a marketing board,
 - i. to fix and allot to persons quotas for the marketing of a regulated product on such basis as the marketing 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 marketing 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 marketing 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 marketing 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

(7a) Everything that is done by a marketing board under the authority of paragraph 12 of subsection 1 shall be deemed to be of an administrative and not of a legislative nature.

Regulations
deemed valid
and binding

2.—(1) Each of the following regulations:

1. Ontario Regulation 52/68, filed with the Registrar of Regulations on the 26th day of February, 1968, amended by Ontario Regulation 131/68, and consolidated and revised as Regulation 592 of Revised Regulations of Ontario, 1970, amended by Ontario Regulation 443/72.
2. Ontario Regulation 68/68, filed with the Registrar of Regulations on the 1st day of March, 1968, amended by Ontario Regulations 336/68, 126/69 and 39/70, and consolidated and revised as Regulation 599 of Revised Regulations of Ontario, 1970, amended by Ontario Regulation 47/71.
3. Ontario Regulation 483/70, filed with the Registrar of Regulations on the 24th day of November, 1970, and consolidated and revised as Regulation 596 of Revised Regulations of Ontario, 1970.
4. Ontario Regulation 138/71, filed with the Registrar of Regulations on the 1st day of April, 1971,

shall be deemed to have been made under *The Milk Act*, as amended by section 1 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 the regulation was filed.

(2) Nothing in subsection 1 limits the power of The Ontario Milk Marketing Board or The Ontario Cream Producers' Marketing Board, as the case may be, to amend or revoke any regulation mentioned in subsection 1. ^{powers not limited}

3.—(1) Everything heretofore done by a marketing board acting or purporting to act pursuant to authority delegated under paragraph 11 or 12 of subsection 1 of section 8 of *The Milk Act, 1965*, or under paragraph 11 or 12 of subsection 1 of section 8 of *The Milk Act*, being chapter 273 of the Revised Statutes of Ontario, 1970, shall be deemed to have been done under *The Milk Act*, as amended by section 1 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 done. ^{Actions of marketing board declared valid and binding 1965, c. 72}

(2) Nothing in subsection 1 limits the powers of The Milk Commission of Ontario under section 26 of *The Milk Act*. ^{No limitation on powers}

(3) Nothing in subsection 1 limits the power of a marketing board, ^{Idem}

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

(b) to vary or rescind any decision,

heretofore made.

4. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

5. This Act may be cited as *The Milk Amendment Act, 1972*. ^{Short title}

