
Manitoba Crop Alliance Designation Regulation,

Regulation
Registered

TABLE OF CONTENTS

Section

- 1 Definitions
- 2 Purpose
- 3 Designation
- 4 Fees
- 5 Deduction of fees
- 6 Use of fees
- 7 Refunds
- 8 Books and records
- 9 Information
- 10 Repeal
- 11 Coming into force

Definitions

1 In this regulation,

"association" means Manitoba Crop Alliance Inc.;

"barley" means all barley produced in Manitoba;

"corn" means all corn grown in Manitoba;

"crops" means corn, flax, solin, sunflower, barley, wheat, and winter wheat crops;

"flax" means all flax seed and flax straw produced in Manitoba;

"solin" means all solin seed and solin straw produced in Manitoba;

"sunflower" means all sunflower grown in Manitoba;

"wheat" means all wheat of the genus species *Triticum aestivum L. em. Thell* produced in Manitoba, including cultivars of the wheat classes CWRS, CWES, CPSR, CPSW, CWAD, CWSWS, CWHWS and spring CWGP, and spring wheat cultivars not belonging to any of the above-listed wheat classes, but excluding winter wheat (*Triticum aestivum L.*);

"winter wheat" means all winter wheat (*Triticum aestivum L.*) produced in Manitoba.

Purpose

2 The purpose of this regulation is to enable the association to encourage, promote and assist in the education, research and marketing development and expansion, and other initiatives pertaining to the crops in Manitoba.

Designation

3 Manitoba Crop Alliance is designated as the representative organization of all producers of the crops.

Fees

4 Every producer who produces and markets a crop shall pay a fee to the association of:

- (a) \$1.06 per tonne of barley;
- (b) ½ of 1% of all sales of corn;
- (c) 0.5% of the price of the flax seed and solin seed;
- (d) 1.0% of the price of the flax straw and solin straw;
- (e) ½ of 1% of all sales of sunflowers;
- (f) \$1.00 per tonne of wheat;
- (g) \$0.98 per tonne of winter wheat.

Deduction of fees

5(1) Every purchaser who buys any one or more of the crops from a producer shall deduct from the monies payable to the producer, the fees payable by the producer to the association for each of the crops.

5(2) Within one month after the end of each of the following periods, every purchaser shall forward to the association the fees deducted during the period:

- (a) the period beginning on January 1 and ending on March 31;
- (b) the period beginning on April 1 and ending on June 30;

(c) the period beginning on July 1 and ending on September 30;

(d) the period beginning on October 1 and ending on December 31.

5(3) When fees are forwarded to the association under subsection (2) the purchaser shall also provide the association with the following information:

(a) the name, mailing address, and email address of each producer from whom the fees were withheld;

(b) the amount of the fees being forwarded on that producer's behalf;

(c) the quantity, price, and type of crop purchased from that producer.

Use of fees

6 The association is authorized to use the fees for the purpose of defraying the expenses of the organization in carrying out its purpose.

Refunds

7(1) A producer may apply to the association for a refund of fees.

7(2) An application for a refund must be made in writing or electronically on a form provided by the association and must contain the information that the association requests.

7(3) An application for a refund must be received by the association

(a) before August 1, for fees deducted in the six month period beginning on the previous January 1 and ending on June 30; and

(b) before February 1, for fees deducted in the six month period beginning on the previous July 1 and ending on December 31.

7(4) If the application for a refund complies with this section, the association shall make a refund

(a) not later than March 31, for fees deducted in the six month period beginning on the previous July 1 and ending on December 31; and

(b) not later than September 30, for fees deducted in the six month period beginning on the previous January 1 and ending on June 30.

7(5) Notwithstanding the date on which this regulation comes into force, paragraph 7(4)(b) hereof shall apply to the association and it shall stand in the place of the various associations referenced in each of the regulations repealed by virtue of section 10 hereof.

Books and records

8 Every purchaser of a crop grown or harvested in Manitoba shall keep and maintain complete and accurate books and records respecting the purchase of the crop and provide copies of them when requested to do so by the agency.

Information

9 The association shall furnish to the agency such information and financial statements as the agency determines necessary to ensure that the fees paid to the association are properly used for the purpose of the association.

Repeal

10 The *Manitoba Corn Growers Association Designation Regulation*, M.R. 137/98, *Manitoba Flax Growers Association Designation Regulation*, M.R. 119/2008, *National Sunflower Association of Canada Designation Regulation*, M.R. 160/2003, *Manitoba Wheat and Barley Growers Association Designation Regulation*, M.R. 188/2013, and *Winter Cereals Manitoba Designation Regulation*, M.R. 117/2008 are all repealed.

Coming into force

11 This regulation comes into force on July 31, 2020.