ONTARIO SHEEP MARKETING AGENCY

GENERAL REGULATIONS

made under

THE FARM PRODUCTS MARKETING ACT

INTERPRETATION

1. In these regulations,

(1) a. "Act" means the Farm Products Marketing Act;

b. "Agency" means the Ontario Sheep Marketing Agency (OSMA)

c. "auction market" means a person that is engaged in the sale of sheep and/or wool by conducting a public auction and includes an auctioneer operating a farm and/or breeding stock auction;

d. "broker/dealer" means a person, other than an Auction Market, processor or producer on his or her own account that buys and/or sells sheep and/or wool not produced by that person;

e. "custom processing" means the slaughter of sheep for the account of the producer of the sheep;

f. "farm gate sales-wool" means sales of wool by a producer of wool derived from sheep produced by that producer and sold directly to a consumer;

g. "marketing" includes advertising, assembling, buying , financing, offering for sale, packing, processing, selling, shipping, storing, and transporting and "market" and "marketed" have corresponding meanings;

h. "person" includes an individual, association, trust, partnership or corporation;

i. "processing" means the slaughtering of sheep;

j. "processor" means a person who slaughters sheep or has sheep slaughtered for him, her or it;

k. "producer" means a person engaged in the production of sheep or wool;

l. "producing" includes the provision of housing, pasture, feed, water and care of sheep;

m. "plan" means the Ontario Sheep Marketing Plan as set out in Ontario Regulation 430;

n. "sheep" includes rams, wethers, ewes and lambs;

o. "wool" means the wool of any sheep

(2) All filings with and payments or notices to the Agency shall be made at or to its office at 130 Malcolm Road, Guelph, Ontario, N1K 1B1.

APPLICATION OF REGULATIONS

2. These regulations provide for the control and regulation in any or all respects of the producing and marketing within Ontario of sheep and wool, including the prohibition of such producing and marketing in whole or in part.

EXEMPTION OF FARM GATE SALES-WOOL

3. Farm gate sales-wool are exempt from these regulations.

LICENCES

4. (a) No person shall commence or continue to engage in the producing of sheep or wool except under the authority of a licence and except in compliance with any term and condition of the licence.

(b) No person shall commence or continue to engage in the marketing of sheep or wool except under the authority of a licence and except in compliance with any term and condition of the licence.

(c) No person shall commence or continue to engage in the processing of sheep or wool except under the authority of a licence and except in compliance with any terms and conditions of the licence.

5. Every person, when not in default of the payment of the licence fees required to be paid under section 6, shall be deemed to be the holder of a licence under section 4(a), 4(b) or 4(c) as the case may be.

LICENCE FEES

6. (a) Every person shall pay to the Agency licence fees at the rate of (i) $1.80 plus HST per head of sheep sold or custom processed by that person, and (ii) 1.5% of the gross sale price of the wool sold by that person plus HST.

(b) Every processor shall pay to the Agency licence fees at the rate of $1.80 plus HST per head of sheep for any sheep it purchases in respect of which a licence fee is not payable to the Agency by the seller under section 6(a).

7. Every person, including a broker/dealer, an auction market or a processor, who receives sheep or wool shall deduct from the monies payable for the sheep or wool any licence fees payable to the Agency by the person from whom that person receives the sheep or wool and shall forward the licence fees to the Agency, together with the reports required under section 11, by no later than the 30th day of the month following the month in which the sheep or wool was received.

8. Every agreement for custom processing is deemed to provide for the payment of the licence fees due under section 6(a) by the producer directly or by the custom processor upon receipt of the licence fees from the producer, to be paid in either case by no later than the thirtieth day of the month following the month in which the sheep were custom processed.

9. Every person shall pay to the Agency any licence fees that were not forwarded to the Agency pursuant to section 7 or 8 within 30 days of the written demand for payment of same by that person by the Agency.

INTEREST ON ARREARS

10. Interest at the rate of 1.5 % per month shall be paid to the Agency on any unpaid licence fees upon the expiry of the deadline for payment of such licence fees.

INFORMATION RETURNS

11. (a) A licencee that is a broker/dealer shall complete and file with the Agency an Broker/Dealer licence fee report/invoice in FORM B and C on or before the last day of each month, setting out, with respect to the immediately preceding month, the number of head of sheep purchased and the number of kilograms of wool purchased and any other information as required;

(b) A licencee that is an auction market shall complete and file with the Agency an Auction Market licence fee report/invoice in FORM B an D on or before the last day of each month, setting out, with respect to the immediately preceding month, the number of head of sheep purchased and the number of kilograms of wool purchased and any other information as required;

(c) A licencee that is a processor shall complete and file with the Agency a Processor licence fee report in FORM B, E and F on or before the last day of each month, setting out, with respect to the immediately preceding month, the number of head of sheep processed, the number of kilograms of wool processed and the number of head of sheep custom processed together with the name, address and phone number for each producer for whom the sheep were custom processed.

(d) A licencee that is a producer who buys sheep in a month from another producer shall in respect of such purchases of sheep complete and file with the Agency a Producer licence fee report/invoice in FORM G on or before the last day of the month in which the purchase of the sheep occurred, setting out, with respect to that month, the number of head of sheep purchased and the name and address of the sellers of said sheep.

(e) Every producer shall provide his, her or its name, address and phone number to the processor at the time of the marketing of the sheep.

QUARTERLY REPORTING, REMITTING AND LICENCE FEE EXEMPTIONS

12. (a) Upon application, the Agency may waive its requirements for monthly reporting on marketings and the remitting of licence fees and allow for same on a quarterly basis not later than 30 days following the last day of November, February, May and August of each year.

(b) Upon application, the Agency may exempt certain transactions from the application of licence fees together with the obligation to deduct and remit same where the Agency is satisfied that licence fees have already been paid by a producer in respect of the sheep purchased by the party seeking the exemption.

PAYMENT OF LICENCE FEES

13. As an alternative to remitting licence fees to the Agency by mail or delivery, payment may be made by credit card (VISA or MasterCard) with telephone authorization by the Agency or electronically by PayPal account.

LICENCE REFUSAL, SUSPENSION OR REVOCATION

14. The Agency may refuse to grant or renew or suspend or revoke a licence:

    i. where the applicant or licencee is not qualified by experience, financial responsibility or equipment to properly engage in the business for which the licence was made or the licence granted, or

    ii. where the applicant or licencee has failed to comply with or has contravened any provision of the Act, the Regulations, the Plan or any Order or Direction of the Commission or the Agency.

PENALTIES

15. The Agency may provide for the imposition, amount, disposition and use of penalties where, after a hearing, the Agency is of the opinion that the applicant or licencee has failed to comply with or has contravened any term or condition of the licence or the Act or the Regulations, the Plan or any Order or Direction of the Agency.

16. Subject to the Act, any penalty imposed under section 15, may be in an amount as determined by the Agency to remove any advantage gained by the party in contravention and to fully reimburse the Agency for any of its expenses and costs associated with any inspection, audit, investigation, hearing and disposition of the matter, including, but not limited to, staff time, agency member costs, legal and accounting fees and disbursements.

17. The Agency may use any such penalty monies for the payment of its expenses as aforesaid, with any surplus to be used for its general purposes.

PRODUCER – PROCESSORS

18. Any person who produces and processes sheep or wool shall provide to the Agency statements of the amounts of sheep or wool that the person produced and used for processing in any year to be filed with the Agency on or before the 31st day of December in any such year.

SHEEP OR WOOL PRODUCER/MARKETER REGISTRATION

19. (a) Every person in Ontario engaged in producing or marketing sheep or wool shall register their business contact information and a description of the business with the Agency by completing and filing with the Agency a Sheep or Wool Producer/Marketer registration in FORM A forthwith upon commencing the producing and marketing of sheep or wool.

    (b) A person who is no longer engaged in producing or marketing sheep or wool shall notify the Agency in writing to that effect.

FORMS

20. The following forms are prescribed and form part of these General Regulations to be completed, signed and filed in accordance with these General Regulations:

    (a) FORM A – Producer and Marketer Registration
    (b) FORM B – List of Sheep and Wool Sellers Information Report
    (c) FORM C – Broker/Dealer Licence Fee Report Form
    (d) FORM D – Auction Market and Auctioneer Licence Fee Report Form
    (e) FORM E – Processor Licence Fee Report Form/Invoice
    (f) FORM F – List of Sheep Custom Processing Services Rendered By Processor
    (g) FORM G – Producer Direct Purchase Licence Fee Remittances

EFFECTIVE DATE

21. These General Regulations come into force on the 1st day of January 2017.

Dated at Guelph, Ontario, this 16th day of August, 2016.

ONTARIO SHEEP MARKETING AGENCY
Per:

Chair

Executive Director

FORM A: PRODUCER/MARKETER REGISTRATION

Regulations made under the Ontario Farm Products Marketing Act require that all persons engaged in producing or marketing sheep in Ontario register with the Ontario Sheep Marketing Agency (OSMA).

OSMA is a producer-run organization, which represents all aspects of the sheep, lamb and wool industry in the province. Its mandate is to promote and represent the industry as well as improve marketing through producer education, promotional campaigns, consumer education and public awareness.

A business contact registration entry is required for a producer of sheep.

Please complete and return the form to confirm your contact information.
Always keep us informed about changes or additions to your information
If you have any question please feel free to contact this office.

PLEASE PRINT CLEARLY

Business Registration Name					☐ Sole Proprietor ☐ Corporation ☐ Partnership
Farm Name					
Primary Contact		**If not owner what is title**			
Other contacts & title					
Farm Address				**RR #**	
City		**Prov**	ON	**Postal Code**	
County/Region					
Mailing Address ☐ **same as above**				**PO Box**	
City		**Prov**	ON	**Postal Code**	
Telephone		**Cell**			
Email Address					☐ **None**
	☐ **I consent to the Ontario Sheep Marketing Agency sending me commercial electronic messages and industry updates**				
Number of Ewes in Your Flock					
Comments					

Ontario Sheep Marketing Agency
130 Malcolm Road; Guelph·ON·N1K 1B1
Tel: (519) 836-0043 Fax: (519) 836-2531
Email: admin@ontariosheep.org

Ontario Sheep Farmers
130 Malcolm Road,
Guelph, ON N1K 1B1
519-836-0043

FORM B: List of Sheep & Wool Sellers Information Report

*Name:	
*Business Name:	
*Address:	
*Phone #:	Fax #:
Cell #:	Premise ID #:
Email:	

Month Covered by this Report: _____

Last Name	First Name	Premise ID #	Full Civic Address	City/Town	Postal Code	Total # Head

ONTARIO Sheep MARKETING AGENCY

Ontario Sheep Farmers
130 Malcolm Road
Guelph, ON N1K 1B1
519-836-0043

FORM C:
BROKER/DEALER
LICENSE FEE REPORT FORM

REGISTERED BUSINESS NAME: _____

PERIOD COVERED: _____

# HEAD/WGT WOOL PURCHASED:	=	_____	A
TOTAL LICENSE FEES COLLECTED: (Line A x $1.80)	=	_____	B
HST ON LICENSE FEES: (Line B x 13%)	+	_____	C
LESS FEE FOR SERVICE: (Line B x 2.5%)	-	_____	D
SUBTOTAL: (Line B + Line C – Line D)	=	_____	E
LESS PROMPT PAYMENT DISCOUNT*: (if applicable)	-	_____	F
NET REMITTANCE: (Line E – Line F)	=	_____	G

*** Prompt Payment Discount (PPD)**

PPD* = $5 flat rate *Record on line F.*

A PPD will only be permitted if ALL of the following conditions are met:

1. The License Fee Report Form is fully completed - all blanks are filled in,
2. The License Fee Report Form along with any fees owing are received no later than 30 days following the month of sale.
   (*No PPD For Past Due Fees*)
3. To qualify, account must be current.
4. No post-dated cheques past due date.
5. Funds received will be applied against oldest outstanding balance.
6. NSF fee is $25.

Forward cheque payable to Ontario Sheep Farmers with this report.
I verify that this is a true and accurate statement.

_____
Print Name

_____
Signature

_____

ONTARIO Sheep MARKETING AGENCY

130 Malcolm Road,
Guelph, ON N1K 1B1
519-836-0043

FORM D:
AUCTION MARKET AND AUCTIONEER LICENSE FEE REPORT FORM

REGISTERED BUSINESS NAME: _____

PERIOD COVERED: _____

TOTAL NUMBER HEAD SOLD:	=	_____	A
TOTAL LICENSE FEES COLLECTED: (Line A x $1.80)	=	_____	B
HST ON LICENSE FEES: (Line B x 13%)	+	_____	C
LESS FEE FOR SERVICE: (Line B x 2.5%)	-	_____	D
SUBTOTAL: (Line B + Line C – Line D)	=	_____	E
LESS PROMPT PAYMENT DISCOUNT*: **(If applicable)**	-	_____	F
NET REMITTANCE: (Line E – Line F)	=	_____	G

*** Prompt Payment Discount (PPD)**

PPD* = $5 flat rate *Record on line F.*

A PPD will only be permitted if ALL of the following conditions are met:

1. The License Fee Report Form is fully completed - all blanks are filled in,
2. The License Fee Report Form along with any fees owing are received no later than 30 days following the month of sale.
   (No PPD For Past Due Fees)
3. To qualify, account must be current.
4. No post-dated cheques past due date.
5. Funds received will be applied against oldest outstanding balance.
6. NSF fee is $25.

Forward cheque payable to Ontario Sheep Marketing Agency with this report.
I verify that this is a true and accurate statement.

_____
Print Name

_____
Signature

_____
Date

ONTARIO Sheep MARKETINGAGENCY
Ontario Sheep Marketing Agency
130 Malcolm Road,
Guelph, ON N1K 1B1
519-836-0043

FORM E: LICENCE FEE REPORT FORM / INVOICE

INVOICE NO. XXX
INVOICE DATE: XXX
DUE DATE : XXX

Invoice to:
Processor Name
Address 1
City, Province
Postal Code

GST/HST No: XXX

Description	Units	Rate	Amount
Slaughter Licence Fees (MONTH)	MONTHLY VOLUME	1.8	$
Less Fee For Service (FFS) @ 2.5%			$
HST			$
		Total :	$

Ontario Auction Market Purchases

PRIOR Unclaimed Purchases	0
CURRENT MONTH'S Purchases	0
CLAIMED Purchases	0
CARRY FORWARD Purchases	0

ADJUST BELOW IF NECESSARY

Head less Auction Market Purchases : # DIRECT PURCH & CUSTOM PROCESSING

Total Head @ $1.80 : $

HST @ 13% : $

Less Fee For Service (FFS) @ 2.5% : $

Subtotal : $

Less Prompt Payment Discount* :

Outstanding Balance Owing:

Balance Due this Invoice : $

Thank you for keeping your account up to date.

Amount of your payment :

**PPD = $5 for remittance within 30 days of invoicing.*

18% annual interest may be charged on all overdue invoices.

If you have any questions regarding this invoice, please contact Jennifer Johanson at 519-836-0043 ext 27.

Ontario Sheep Farmers
130 Malcolm Road,
Guelph, ON N1K 1B1
519-836-0043

FORM F: List of Sheep Custom Processing Services Rendered By Processor

*Name:	
*Business Name:	
*Address:	
*Phone #:	Fax #:
Cell #:	Premise ID #:
Email:	

Month Covered by this Report: _____

Last Name	First Name	Premise ID #	Full Civic Address	City/Town	Postal Code	Total # Head

FORM G: PRODUCER DIRECT PURCHASE LICENCE FEE REMITTANCES

Month Covered _____

Name: _____

Business Name: _____

Address: _____

Phone #: _____

Cell #: _____

Premise ID #: _____

Email ID: _____

DATE RECEIVED	SELLER NAME & ADDRESS	# SHEEP	@ $1.80	HST	TOTAL
	TOTAL REMITTANCE				