

ORDER 2008-03
AN ORDER CREATING LOCAL MILK COMMITTEES UNDER THE
DAIRY FARMERS OF NEW BRUNSWICK
(the "LOCAL MILK COMMITTEES ORDER")

NOW THEREFORE BE IT ENACTED pursuant to

- Section 11(c,q,w,x) of New Brunswick Regulation 2002-85 – *Milk Plan and Levies Regulation – Natural Products Act*; and
- Section 12 of New Brunswick Regulation 2002-86 – *Milk Plan Administration Regulation – Natural Products Act*

DAIRY FARMERS OF NEW BRUNSWICK (hereinafter called the "Board") in its exercise of its Federal and Provincial powers, where applicable, in whole or in part, concurrently and in combination hereby repeals Order 3 – Local Milk Committees Order and replaces it with:

2008-03
LOCAL MILK COMMITTEES ORDER

1) **DEFINITIONS** The terms referenced herein have the same meaning as given in the by-law, act, regulation, order or agreement in which the term was originally defined. If a term originates herein the term will be defined below.

- a) "Area" means a portion of the regulated area as defined in the Plan;
- b) "Local Milk Committee" means one formed pursuant to this Order.

2) **AREAS**

- a) For convenience, the Local Milk Committee Areas are described herein:
 - i) "Moncton Area", consisting of the Counties of Westmorland, Albert and Kent; the Parish of Brunswick in Queens County; and the northern half of the Parish of Havelock in Kings County;
 - ii) "Sussex Area", consisting of Kings County excepting the northern half of the Parish of Havelock; Saint John County; and the Parishes of Johnston, Cambridge, Wickham and Hampstead in Queens County;
 - iii) "Fredericton Area", consisting of the Counties of Sunbury and Charlotte; York County excepting the Parishes of Southampton and Canterbury; and Queens County excepting the Parishes of Brunswick, Johnston, Cambridge, Wickham and Hampstead;
 - iv) "Woodstock Area", consisting of the County of Carleton; the parishes of Southampton and Canterbury in York County; the parishes of Andover, Perth, Gordon, Grand Falls, Denmark and Lorne in Victoria County; and the southeasterly portion of Saint-Andre parish in Madawaska County situated east of Route No. 255;
 - v) "Nord-Ouest", consisting of the County of Madawaska excepting the southeasterly portion of Saint-Andre parish situated east of Route No. 255; the parishes of Grimmer and Saint-Quentin in the County of Restigouche; and the parish of Drummond in Victoria County;

ORDER 2008-03

**AN ORDER CREATING LOCAL MILK COMMITTEES UNDER THE
DAIRY FARMERS OF NEW BRUNSWICK
(the "LOCAL MILK COMMITTEES ORDER")**

- vi) "Dalhousie Area", consisting of the County of Restigouche excepting the parishes of Grimmer and Saint-Quentin;
- vii) "Bathurst Area", consisting of the Parishes of Beresford, New Bandon, and Bathurst, in the County of Gloucester;
- viii) "Tracadie Area", consisting of the Parishes of Allardville, St. Isidore, Inkerman, Saumarez, Caraquet, Shippagan, and Pacquetville, in the County of Gloucester;
- ix) "Miramichi Area", consisting of the County of Northumberland.

3) COMMITTEE STRUCTURE

- a) Committees to be known as "Local Milk Committees" shall be formed, one in each Area, for the purpose of providing better liaison and communication between the Producers in each Area and the Board;
- b) The duties of a Local Milk Committee shall include:
 - i) bringing to the attention of the Board any problems in the Area relating to the production and marketing of milk;
 - ii) acting as a forum for the discussion of new ideas and policy, and reporting on such discussion to the Board;
 - iii) organizing a general meeting of the Producers of the Area once each year, known as the Annual Area Meeting, and such additional general meetings as the Local Milk Committee considers desirable;
 - iv) arranging for the regular election of members of the Local Milk Committee at the Annual Meeting of the Area; and
 - v) selecting delegates to represent the Local Milk Committee at the Annual Meeting of the Board. This representation will be one (1) delegate for every six (6) Producers or part thereof who reside in the Area;
- c) Except as otherwise provided by Order of the Board, an individual;
 - i) to hold office as a member of a Local Milk Committee;
 - ii) to sign nomination papers for a prospective candidate of an election for members to the Local Milk Committee;
 - iii) to vote in an election; or
 - iv) to attend general meetings called by the Local Milk Committee, or to vote thereat, must
 - (1) reside in the Area in which the election is held, and
 - (2) be a Producer or a Voting Representative designated by a Producer;
- d) An individual who is a Voting Representative of a Producer that is a Corporation or Partnership shall hold office only for so long as he remains a Voting Representative of that Producer, and in the event the Local Milk Committee receives notice from the Producer that the designation has been revoked, the Local Milk Committee shall declare the position vacant;

ORDER 2008-03

**AN ORDER CREATING LOCAL MILK COMMITTEES UNDER THE
DAIRY FARMERS OF NEW BRUNSWICK
(the "LOCAL MILK COMMITTEES ORDER")**

- e) Notwithstanding **Section 3(c) hereof**, a Producer or the Voting Representative who is resident in one Area but who wishes to be associated with another Area and to be eligible to have rights and privileges similar to Producers resident in that Area, as outlined in **subparagraphs (i), (ii), (iii) and (iv) of Section 3(c) hereof**, may make application to the Board to be included in that Area and the Board shall review the circumstances of the request and may in its absolute discretion deem him to have the same rights and privileges as if he were resident in that Area, in which case he shall no longer be eligible in the Area where he is a resident;
- f) A Producer's designative representative as contemplated by the Plan is deemed to be the Voting Representative herein. If the said Producer has a Voting Representative herein and not under the Plan, then that person shall be deemed to be the Voting Representative under the Plan;
- g) In each Area, the Local Milk Committee shall be made up of a minimum of nine, and a maximum of fifteen, of which three shall be elected each year for terms of three years, provided that for the first year only, three members shall be elected for terms of one year, three members shall be elected for terms of two years, and three members shall be elected for terms of three years;
- h) Members of the Local Milk Committee shall be elected by secret ballot at the Annual Area Meeting, and shall be the three candidates having the highest number of votes properly cast at such meeting;
- i) If a vacancy occurs on a Local Milk Committee, then the Local Milk Committee shall, within six (6) months of such occurrence, call a general meeting of Producers resident in the Area for the purpose of electing a new member to fill such vacancy for the balance of the term of the member who vacated the position;
- j) The Local Milk Committee shall, at its first regular meeting following a regular election, select its Chairman and Vice-Chairman for the coming year;
- k) A member of a Local Milk Committee elected at a regular election shall serve for a three (3) year term, except as provided in Section 3(h) hereof, or until his successor is elected, and shall not be ineligible for re-election solely on the ground that he is presently serving as a member of the Local Milk Committee;
- l) The Board may advance funds to each Local Milk Committee for the purpose of financing the meetings of the Local Milk Committee. The amount of money to be paid is \$400.00 plus \$2.00 per Producer in the Area, plus an amount equal to the mileage paid to Local Milk Committee directors;

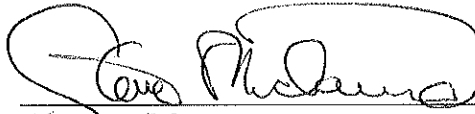
ORDER 2008-03
AN ORDER CREATING LOCAL MILK COMMITTEES UNDER THE
DAIRY FARMERS OF NEW BRUNSWICK
(the "LOCAL MILK COMMITTEES ORDER")

- m) The Secretary/Treasurer of the Local Milk Committee shall account to the Board for the mileage paid to directors in his annual financial report on the Local Milk Committee's activities; and
- n) Claims for mileage paid may be made from time to time throughout the year on forms supplied by the Board.

This Order takes effect March 1, 2008.



Chairman



Secretary/Manager