

ORDER 2016-01
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 2014-05 – Local Milk Committees Order and replaces it with:

2016-01
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;

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- vi) "North-East", consisting of the County of Restigouche excepting the parishes of Grimmer and Saint-Quentin, the County of Gloucester and 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;
 - (1) to maintain a register listing all of the individuals that attended general meetings on behalf of each Producer in the area, and
 - (2) providing one voting card per Producer so that only one vote per Producer may be cast in matters of general policy at general meetings.
 - 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 four (4) 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; or
 - ii) to sign nomination papers for a prospective candidate of an election for members to the Local Milk Committee; or
 - iii) to vote in an election, must
 - (1) reside in the Area in which the election is held, and
 - (2) be a Voting Representative designated by a Producer.
 - iv) to attend general meetings called by the Local Milk Committee, must
 - (1) be the Voting Representative designated by the Producer and have signed his name onto the area's meeting register next to the Producer which he/she is representing, or
 - (2) have recorded and signed his/her name onto the area's meeting register next to the Producer he/she is affiliated with.
 - v) to vote on behalf of a Producer in an area meeting on matters of general policy, must
 - (1) have registered his/her name on the register next to that of a Producer's name, and

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- (2) be holding that Producer's only voting card that was entrusted to him/her by the area's Secretary that day for the sole purpose of voting on matters of general policy at the area's general meeting.
- 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;
- 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,

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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.
 - i) 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 with the exception of the North-East Local Milk Committee which will be granted an additional amount to be determined by the Board in recognition of the amalgamation of their four Local Milk Committees into one;
- 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.
- o) Delegates who attend the Board's annual meeting will be compensated and reimbursed for expenses for attending the Board's Annual Meeting upon completing, signing and submitting the expense form provided to them by the Board in accordance with the following prescribed limits:
 - i) A per diem for each of the days they attended the meetings at a rate equal to 50% of the per diems provided to directors within the Director Remuneration Order.
 - ii) A kilometric allowance to travel from their farm to the meeting location and back equal to the rate provided to directors within the Director Remuneration Order.
 - iii) A reimbursement of their overnight accommodations to attend the meeting by submitting a copy of their hotel invoice paid in full.
 - iv) A meal allowance of \$10.00 for breakfast, \$15.00 for lunch and \$20.00 for supper except when such meals are provided at the meeting.

This Order takes effect August 1, 2016.

This Board Order is a reproduction of the original Board Order which has been signed by the Chairman and the General Manager.