



The Ontario Gazette

La Gazette de l'Ontario

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Toronto

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Proclamation

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

PROCLAMATION

GOOD GOVERNMENT ACT, 2009

We, by and with the advice of the Executive Council of Ontario, name January 1, 2010 as the day on which subsections 8 (1) to (44) and (46) to (69) of Schedule 21 to the *Good Government Act, 2009*, c. 33, which amend the *Municipal Elections Act, 1996* come into force.

WITNESS:

THE HONOURABLE
DAVID C. ONLEY

LIEUTENANT GOVERNOR OF OUR PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on December 16, 2009.

BY COMMAND

Harinder Jeet Singh Takhar
Minister of Government Services

ELIZABETH DEUX, par la grâce de Dieu, Reine du Royaume-Uni, du Canada et de ses autres royaumes et territoires, Chef du Commonwealth, Défenseur de la Foi.

PROCLAMATION

LOI DE 2009 SUR LA SAINTE GESTION PUBLIQUE

Sur l'avis du Conseil exécutif de l'Ontario, nous désignons le 1^{er} janvier 2010 comme le jour où entrent en vigueur les paragraphes 8 (1) à (44) et (46) à (69) de l'annexe 21 de la *Loi de 2009 sur la saine gestion publique*, chap. 33, qui modifie la *Loi de 1996 sur les élections municipales*:

TÉMOIN:

L'HONORABLE
DAVID C. ONLEY

LIEUTENANT-GOUVERNEUR DE NOTRE PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 16 décembre 2009.

PAR ORDRE

(143-G001)

Harinder Jeet Singh Takhar
ministre des Services gouvernementaux

Ontario Highway Transport Board

Periodically, temporary applications are filed with the Board. Details of these applications can be made available at anytime to any interested parties by calling (416) 326-6732.

The following are applications for extra-provincial and public vehicle operating licenses filed under the Motor Vehicle Transport Act, 1987, and the Public Vehicles Act. All information pertaining to the applicant i.e. business plan, supporting evidence, etc. is on file at the Board and is available upon request.

Any interested person who has an economic interest in the outcome of these applications may serve and file an objection within 29 days of this publication. The objector shall:

1. complete a Notice of Objection Form,
2. serve the applicant with the objection,
3. file a copy of the objection and provide proof of service of the objection on the applicant with the Board,

4. pay the appropriate fee.

Serving and filing an objection may be effected by hand delivery, mail, courier or facsimile. Serving means the date received by a party and filing means the date received by the Board.

LES LIBELLÉS DÉS DEMANDES PUBLIÉES CI-DESSOUS SONT AUSSI DISPONIBLES EN FRANÇAIS SUR DEMANDE.

Pour obtenir de l'information en français, veuillez communiquer avec la Commission des transports routiers au 416-326-6732

1725720 Ontario Inc. 47232
o/a "Paris Transportation Services"
Mailing address: Franklin RPO, P. O. Box 3081
Cambridge, ON N1R 8R8

Applies for a public vehicle operating licence as follows:

For the transportation of passengers on a scheduled service between the City of Brantford and the County of Brant.

PROVIDED THAT the licensee be restricted to the use of Class "D" public vehicles as defined in paragraph (a) (iv) of subsection 1 of Section 7 of



Regulation 982 under the Public Vehicles Act, R.S.O. 1990 Chapter P.54, each having a maximum seating capacity of (12) passengers exclusive of the driver.

(143-G002)

FELIX D'MELLO
Board Secretary/Secrétaire de la Commission

Government Notices Respecting Corporations Avis du gouvernement relatifs aux compagnies

Notice of Default in Complying with the Corporations Tax Act Avis de non-observation de la Loi sur l'imposition des sociétés

The Director has been notified by the Minister of Finance that the following corporations are in default in complying with the *Corporations Tax Act*.

NOTICE IS HEREBY GIVEN under subsection 241(1) of the *Business Corporations Act*, that unless the corporations listed hereunder comply with the requirements of the *Corporations Tax Act* within 90 days of this notice, orders will be made dissolving the defaulting corporations. All enquiries concerning this notice are to be directed to Ministry of Finance, Corporations Tax, 33 King Street West, Oshawa, Ontario L1H 8H6.

Le ministre des Finances a informé le directeur que les sociétés suivantes n'avaient pas respecté la *Loi sur l'imposition des sociétés*.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241(1) de la *Loi sur les sociétés par actions*, si les sociétés citées ci-dessous ne se conforment pas aux prescriptions énoncées par la *Loi sur l'imposition des sociétés* dans un délai de 90 jours suivant la réception du présent avis, lesdites sociétés se verront dissoutes par décision. Pour tout renseignement relatif au présent avis, veuillez vous adresser à l'Imposition des sociétés, ministère des Finances, 33, rue King ouest, Oshawa ON L1H 8H6.

Name of Corporation: Dénomination sociale de la société	Ontario Corporation Number Numéro de la société en Ontario
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2010-01-02

A. G. S. EMPLOYMENT AGENCIES CORP.	001687851
ALEXANDER TRANSPORT CORPORATION LTD.	002093335
ALGORITHM TAX STRATEGIES INC.	001689994
AMANAK RADIATION THERMAL BONDING EQUIPMENT LIMITED	000648473
ANC WORLDWIDE LIMITED	002001218
AVID GROUP INC.	001682413
AYAM ZAMAN CAFE INC.	001689316
BEAVER LANDSCAPING LIMITED	001516333
BECKMAN HANDLER GMBH NORTH AMERICA INC.	001690725
BLOODHOUND BAILIFF SERVICES INC.	002094836
BRAMPTON TELE-COMMUNICATION LTD.	002093731
BRESCA INC.	001689814
BURBAGE ENTERPRISES INC.	002093584
BWT INVESTMENT HOLDINGS INC.	001690266
C.S.L. CONSTRUCTION INC.	001689925
CANAMED (PORTAGE ROAD) LIMITED	001688831
CHYNAWHITE & DANEEBOY INC.	001688914
COLLABORATIVE HOLDINGS INC.	002093882
CONCRETE PLANS INC.	001689319
CONTINENTAL FINANCIAL GROUP LTD.	001690645
CUDDLES PHOTOGRAPHY INC.	001336776
DIGITAL IMPORTS INCORPORATED	001689263
DONGHWA INFORMATION TECHNOLOGY INC.	001688989
FAUST TOOL LTD.	000377509
FLORALIGHT INC.	001196335
FMZ GENERAL TRADING INC.	002095205
G.T. ROAD TE LTD.	002094970
GANANOQUE LANDSCAPE DEPOT INC.	002093396
GEN ELECTRO PLUS INC.	002093245
GOLD SOLAR POWER INC.	001689818
GOMES TRIM CARPENTRY LTD.	002094187

Name of Corporation: Dénomination sociale de la société	Ontario Corporation Number Numéro de la société en Ontario
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HARPER LEE NORTH AMERICA INC.	002092924
HEAVENCRAFT CHURCH SUPPLY SPECIALISTS INC.	002095055
HIGH FREQUENCY INC.	001690644
HILL HILL METALS RECYCLING INC.	001689299
HM MEDIA COMMUNICATIONS SERVICES INC.	002092898
INCORE CAPITAL LTD.	002092859
INTERNATIONAL FOUNDATION FOR STUDIES OF THE SPINE INC.	002093306
J MAX CANADA INC.	001690282
KHATPANALAYA PRODUCTION INC.	001689843
KITHUSHA TRANSPORT INC.	002095123
KORCHIN HOLDING INC.	002093079
LA CORONA BEYOND BED & BATH INC.	002093403
LAKEVIEW FINANCIAL CORP.	001687408
MDK AUTO CENTRE INC.	001689493
MEDWAY ELECTRIC LTD.	001225610
MNO INVESTMENTS LIMITED	001675186
MORTGAGE MALL INC.	001689964
MUSKOKA VILLAGE INC.	001120393
NATIONAL DENTAL WHOLESALERS INC.	001690304
NEIGHBOURHOOD TECHNOLOGIES INC.	001686679
NORTH ONE INVESTMENTS INC.	002092946
NORTHLINE FREIGHT MANAGEMENT INC.	002093076
NOVELINE MASONRY LTD.	001164027
NUTRITION PLUS CONSULTANTS INC.	001117920
OSSINGTON BUTCHERS INC.	001606601
PADI INC.	001689894
PARTINGTON VENTURES INC.	001689448
PELIME PICTURES INC.	001689168
PERACON CONSTRUCTION INC.	001674506
PIVOTAL HEALTH INC.	001679946
PROXY FINANCIAL GROUP INC.	001690357
REEF SOURCE INC.	001576112
ROYAL EVERGREEN GROUP INC.	002093286
SAADI GROUP INC.	001688922
SHERLOCK HOMES ESTATES (CANADA) LTD.	002094890
SPRINGBANK CHEESE COMPANY LTD.	000580222
SUPERIOR PROPERTY MANAGEMENT INC.	002094837
T & A LOGGING INC.	001689286
TANGO WIRELESS INC.	001687442
TANNERY LOFTS RESIDENCE INC.	001689400
TAVERNESE GROUP LTD.	002093279
THE GALO INC.	001690249
TIMA SEARCH TECHNOLOGIES INC.	001689015
TREADSTONE REAL ESTATE SERVICES INC.	001687983
ULTIMATE BUILDING MAINTENANCE LTD.	001061464
UNISTUDIES EDUCATIONAL CONSULTING LIMITED	002022497
VALUBUILD PANEL HOMES CORP.	001689565
VAUGHAN CATERING LTD.	001689561
WH DECKING LTD.	002092532
XFEST, CANADA'S EXTREME SPORTS FESTIVAL INC.	001674528
ZOFT INC.	002093209
100 PARKSHORE DRIVE INC.	002093794
1052125 ONTARIO LTD.	001052125
11A 24/7 TOWING SERVICE CORP.	001689176
1103223 ONTARIO LIMITED	001103223
1437117 ONTARIO LTD.	001437117
1515105 ONTARIO INC.	001515105
1561280 ONTARIO INC.	001561280
1662299 ONTARIO INC.	001662299

Name of Corporation: Dénomination sociale de la société	Ontario Corporation Number Numéro de la société en Ontario
1665961 ONTARIO LIMITED	001665961
1674504 ONTARIO INC.	001674504
1678889 ONTARIO INC.	001678889
1679969 ONTARIO LTD.	001679969
1679971 ONTARIO LIMITED	001679971
1681360 ONTARIO INC.	001681360
1688802 ONTARIO INCORPORATED	001688802
1688904 ONTARIO LTD.	001688904
1689057 ONTARIO INC.	001689057
1689075 ONTARIO LTD.	001689075
1689197 ONTARIO INC.	001689197
1689460 ONTARIO INC.	001689460
1690254 ONTARIO LTD.	001690254
2092913 ONTARIO LTD.	002092913
2093016 ONTARIO INC.	002093016
2093080 ONTARIO LIMITED	002093080
2093110 ONTARIO LTD.	002093110
2093432 ONTARIO INC.	002093432
2093629 ONTARIO INC.	002093629
2093634 ONTARIO INC.	002093634
2094019 ONTARIO INC.	002094019
2094118 ONTARIO LTD.	002094118
2094140 ONTARIO INC.	002094140
2094543 ONTARIO INC.	002094543
2094639 ONTARIO LTD.	002094639
2094733 ONTARIO INC.	002094733
2094780 ONTARIO INC.	002094780
2094908 ONTARIO INC.	002094908
2094931 ONTARIO LTD.	002094931
2095065 ONTARIO INC.	002095065

KATHERINE M. MURRAY
 Director, Ministry of Government Services
 Directrice, Ministère des Services
 gouvernementaux

(143-G003)

**Cancellation of Certificate of Incorporation
 (Corporations Tax Act Defaulters)
 Annulation de certificat de constitution
 (Non-observation de la Loi sur
 l'imposition des sociétés)**

NOTICE IS HEREBY GIVEN that, under subsection 241(4) of the *Business Corporations Act*, the Certificate of Incorporation of the corporations named hereunder have been cancelled by an Order for default in complying with the provisions of the *Corporations Tax Act*, and the said corporations have been dissolved on that date.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241(4) de la *Loi sur les sociétés par actions*, le certificat de constitution de la société sous-nommé a été annulée par Ordre pour non-observation des dispositions de la *Loi sur l'imposition des sociétés* et que la dissolution de la société concernée prend effet à la date susmentionnée.

Name of Corporation: Dénomination sociale de la société	Ontario Corporation Number Numéro de la société en Ontario
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2009-12-07

A&B BAKERY MAINTENANCE INC.	001411518
ACCELIGHT RESEARCH INC.	001497334
ALDAN INTERLOCKING STONE AND CONTRACTING LTD.	000989968
ALICIA INTERNATIONAL CANADA INC.	001018372
AMBRO HOLDINGS LTD.	001169774
AMIANA INC.	001650393

Name of Corporation: Dénomination sociale de la société	Ontario Corporation Number Numéro de la société en Ontario
ARDALE STAMP INC.	000406205
BASE MECHANICAL SERVICES LTD.	001001905
CALL*STREAM COMMUNICATIONS INC.	000943924
CENTRAL ASIA DEVELOPMENT & CONSTRUCTION CO. LTD.	002026979
COMERCO IMPORTING & EXPORTING LTD.	000485193
CSM VENTURES INC.	001361178
D & D ASSOCIATES INC.	001037420
DAIRY FREEZER INCORPORATED	001077563
DATATECH INFORMATION CONSULTING INC.	001191668
DOZEY FARMS LTD.	001264343
DUFFERIN BARGAIN KING INC.	001034804
DYNASTY MANAGEMENT INC.	000738866
EDWIN'S CAR SALE LIMITED	001429839
ENTER-TECH ENTERPRISES INC.	002055071
ERUDITE CORPORATION LTD.	000943293
FORKCHOPS (730 YONGE STREET) LTD.	001104915
FORTUNE WHOLESALE LTD.	001017786
FOUR SEASONS TOBACCONIST INC.	001156354
GADBOIS GRADER SERVICES LTD	000714957
GALT HOUSE INC.	001134544
GREENFIELD AND ASSOCIATES LTD.	000760145
J R TRUCK LUBE INC.	000934549
JOHNSTON MANUFACTURERS & DISTRIBUTERS INC.	002077541
LARR 7 CONSULTING INC.	002012219
LIBAAS FASHIONS INC.	001113595
MANZOOR MOORSHED KHAN LTD.	002062004
MARKET ENTERTAINMENT CORPORATION	000990985
MEGA CITY MOBILE WASH LTD.	001414205
MILLPOND REALTY INC.	001130937
N.I.E. CONSULTING INC.	001434171
NASA WINDOWS LTD.	001407759
NIAGARA BUSINESS BROKERAGE INC.	001218689
NIAGARA ROASTERS INC.	001071049
OAKVILLE MOTORS SALES & LEASING INC.	000998186
PEARTREE CONSULTANTS AVV INC.	001625265
PILLAR ROOFING & WATERPROOFING INC.	001077508
PLASAC INC.	001494199
POWASSAN HARDWARE INC.	000943470
QAAM PERSONNEL SERVICES INC.	001634722
QUBBE INC.	002005496
R.K. PLUMBING LIMITED	001510756
REALTY WORLD EAST REAL ESTATE LTD.	000849102
REFURB METALS INC.	001120328
RETRO COMPUTERS INC.	001503809
SBL MANAGEMENT HOLDINGS INC.	002072890
SHARC EQUIPMENT & CONSTRUCTION INC.	001472281
SIERRA SPA INC.	001055253
STRATHCONA NOVA INCORPORATED	000883737
SUPRA INSTRUMENTS & CONSULTANTS INC.	000763082
T & F CONSTRUCTION LTD.	000951877
THE SPECTRUM CORPORATION	001075362
TRANS UNIVERSAL TRADERS INC.	001357629
ULTRACARE NURSING HOMES LIMITED	000840201
VT CONSTRUCTION LTD.	001428766
WILLIAM H. DIXON AGENCY LIMITED	000081746
ZAX NEW YORK BISTRO & WINE BAR INC.	001333998
1016784 ONTARIO LIMITED	001016784
1021333 ONTARIO LIMITED	001021333
1043237 ONTARIO LIMITED	001043237
1045974 ONTARIO INC.	001045974
1065909 ONTARIO INC.	001065909
1069719 ONTARIO INC.	001069719
1076440 ONTARIO INC.	001076440
1088197 ONTARIO LIMITED	001088197
1130527 ONTARIO INC.	001130527
1135980 ONTARIO INC.	001135980
1238932 ONTARIO INC.	001238932

Name of Corporation: Dénomination sociale de la société	Ontario Corporation Number Numéro de la société en Ontario
1259462 ONTARIO INC.	001259462
1260918 ONTARIO INC.	001260918
1321946 ONTARIO LTD.	001321946
1331303 ONTARIO LIMITED	001331303
1398445 ONTARIO INC.	001398445
1400183 ONTARIO INC.	001400183
1419704 ONTARIO INC.	001419704
1436905 ONTARIO INC.	001436905
1444618 ONTARIO LIMITED	001444618
1478745 ONTARIO INC.	001478745
1485386 ONTARIO INC.	001485386
150 PARK AVENUE (CHATHAM) INC.	000870783
1523986 ONTARIO INC.	001523986
1551788 ONTARIO INC.	001551788
1585647 ONTARIO INC.	001585647
1586523 ONTARIO LTD.	001586523
1595223 ONTARIO LIMITED	001595223
1596355 ONTARIO LTD.	001596355
16TH AVE. EATERY LTD.	000859561
1602935 ONTARIO INC.	001602935
1602952 ONTARIO LIMITED	001602952
1618210 ONTARIO INC.	001618210
1623230 ONTARIO INC.	001623230
1642367 ONTARIO LTD.	001642367
2002263 ONTARIO INC.	002002263
2062932 ONTARIO INC.	002062932
2079088 ONTARIO INC.	002079088
401 PAPER & PACKAGING INC.	000928813
597053 ONTARIO INC.	000597053
678149 ONTARIO INC.	000678149
783986 ONTARIO INC.	000783986
963126 ONTARIO INC.	000963126
975015 ONTARIO INC.	000975015
978174 ONTARIO LTD.	000978174
984485 ONTARIO LTD.	000984485

KATHERINE M. MURRAY
Director, Ministry of Government Services
Directrice, Ministère des Services
gouvernementaux

(143-G004)

Certificate of Dissolution Certificat de dissolution

NOTICE IS HEREBY GIVEN that a certificate of dissolution under the Business Corporations Act has been endorsed. The effective date of dissolution precedes the corporation listings.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément à la Loi sur les sociétés par actions, un certificat de dissolution a été inscrit pour les compagnies suivantes. La date d'entrée en vigueur précède la liste des compagnies visées.

Name of Corporation: Dénomination sociale de la société	Ontario Corporation Number Numéro de la société en Ontario
2009-11-20	
PEPI EVENT PROFESSIONALS INC.	001699538
2009-11-23	
FORMTECH INTERNATIONAL CORPORATION	002025516
PICCOLO MONDO CHILDREN'S WEAR LTD.	000446653
2009-11-24	
LANDSMITH CORPORATION	000694589
2009-11-25	

Name of Corporation: Dénomination sociale de la société	Ontario Corporation Number Numéro de la société en Ontario
A. HARRIS DENTISTRY PROFESSIONAL CORPORATION	002104802
THAMES VALLEY BUILDERS LIMITED	001413460
2009-11-26	
ARTREACH LIMITED	002058845
BIRDFARMS INC.	000422423
MEET MARKET ADVENTURES CHICAGO INC.	002129605
THE BRITISH WEST INDIES PETROLEUM CORPORATION	002147352
VASA INDUSTRIES LTD.	002017447
1129977 ONTARIO INC.	001129977
1626018 ONTARIO INC.	001626018
655491 ONTARIO LIMITED	000655491
2009-11-30	
MAXIMUM HAULAGE INC.	001250057
2009-12-01	
ALBY INC.	001696848
CHAPPELL INSTALLATIONS INC.	001374130
CONNECTION ADVERTISING INC.	001497798
CRISTALYNE INC.	002135329
FONTAINE'S MOVING & STORAGE LIMITED	000141036
HENRY & I CONSULTING LIMITED	000770370
1294873 ONTARIO LIMITED	001294873
1633905 ONTARIO INC.	001633905
1635393 ONTARIO LTD.	001635393
2018337 ONTARIO INC.	002018337
2075009 ONTARIO INC.	002075009
428605 ONTARIO INC.	000428605
982581 ONTARIO INC.	000982581
2009-12-02	
ALIANCA BAKERY LTD.	000694445
ALL-SPORTS DISTRIBUTING INC.	001248647
AVA TRANS CANADA INC.	001689076
CANADIAN INTERNET CORPORATION	001320497
CHECCHIN REALTY & INVESTMENTS INC.	000304869
EFFETTO DONNA SKIN CARE LTD.	001308638
HADI LIMOUSINE LTD.	002067638
KLEEM CHEMICALS INCORPORATED	001640046
LARRY LARGE CONSULTING INC.	001469089
ZELLER PLASTIK CANADA, INC.	000830012
1021125 ONTARIO LIMITED	001021125
1104896 ONTARIO LIMITED	001104896
1120232 ONTARIO LIMITED	001120232
1648782 ONTARIO INC.	001648782
2077809 ONTARIO LTD.	002077809
924849 ONTARIO INC.	000924849
2009-12-04	
A.S.K. INTERNATIONAL TRADES INC.	001227360
AAKAAR INTERNATIONAL INC.	002070456
ALEXANDER REAL ESTATE APPRAISING INC.	001055661
ALEXANDRIA REALTY LTD.	000882771
BEST CUP SELECT COFFEE COMPANY INC.	001573925
BORIALLA TRADING CO. LTD.	001151947
CANADIAN FOUNDRY AUTOMATION INC.	001048010
CHURCHILL PLACE BUILDING CORP.	001160358
CUTTING EDGE SURGICAL INC.	002200185
EDWIN & WINDY CONSULTANTS LTD.	001091665
FIRST ROBIN HOLDINGS (ONTARIO) INC.	000762447
GOSPEL C PRODUCTIONS INC.	002069880
GRANCO ELECTRONICS CONTROL SYSTEMS INC.	001030970
HAUTE-PROVENCE COMPANY LIMITED	001513526
HEC MARKETING AND SALES INC.	001542783
INTERNATIONAL EQUESTRIAN SPORT SERVICES LTD.	000343537
JEFF'S BROTHERS WINDOWS & DOORS LTD.	002166013
LAKWOOD COUNTRY REAL ESTATE INC.	001051096
LEE GROWTH VENTURES INC.	002044504
LONDON AUTOMOTIVE MACHINE SHOP INC.	000299915
MARION'S HAIR DESIGN INC.	000715332
MCEWEN HARDWARE LIMITED	000310136

Name of Corporation: Dénomination sociale de la société	Ontario Corporation Number Numéro de la société en Ontario	Name of Corporation: Dénomination sociale de la société	Ontario Corporation Number Numéro de la société en Ontario
MECHENG LIMITED	000292768	2041197 ONTARIO LTD.	002041197
NV SPOILERS INC.	001596696	917870 ONTARIO LTD.	000917870
PAKISTAN POST TORONTO LTD.	002108494	2009-12-11	
PENTA TRADING INTERNATIONAL LIMITED	001225031	ARKITEKT FILMS INC.	001727416
PYPKER ENTERPRISES INC.	000921913	CORE HEALTH INC.	001133009
REPAAC LTD.	001217996	ECO PRIMA INC.	001634471
ROCKWAY WATERFALLS INC.	001263338	GALAXYSTAR ENTERPRISES INC.	002126278
ROYAL TEMP SERVICES INC.	001676602	MAC-BOOK HOLDINGS LTD.	000798261
SALTA GEMS CANADA LIMITED	000580309	MAPLEVU SUNROOMS INC.	001558349
SCOTT-WOODS INTERMODAL INC.	001112574	PINELANDS LODGE OF MUSKOKA LIMITED	000231087
SUMMER VALLEY (BRAMPTON) LTD.	001250192	TRAILWOOD INVESTMENTS LIMITED	000458338
SUPER COLA COMPANY LTD.	000298343	1227382 ONTARIO LIMITED	001227382
TKC AUTOMOTIVE SERVICE INC.	001161638	1327420 ONTARIO INC.	001327420
W. D. COOKSON LTD.	000108535	1402249 ONTARIO INC.	001402249
1022181 ONTARIO LIMITED	001022181	2050735 ONTARIO LTD.	002050735
1049495 ONTARIO INC.	001049495	2148373 ONTARIO INC.	002148373
1093589 ONTARIO LIMITED	001093589	918929 ONTARIO INC.	000918929
1238985 ONTARIO INC.	001238985	974403 ONTARIO LIMITED	000974403
1241622 ONTARIO LIMITED	001241622	2009-12-12	
124402 ONTARIO LIMITED	000124402	DI PRO CONTRACTING INC.	002138755
1252120 ONTARIO LTD.	001252120	2009-12-14	
1362449 ONTARIO INC.	001362449	AFTER BABY COMES INC.	001709355
1411075 ONTARIO INC.	001411075	AUXILIUM TECHNOLOGIES INC.	001492369
1441564 ONTARIO INC.	001441564	BONOMI CANADA LTD.	002038071
1522243 ONTARIO LIMITED	001522243	CANADIAN RESPIRATORY HEALTHCARE INC.	002077282
2066517 ONTARIO INC.	002066517	DDR HC GP INC.	002174431
2069548 ONTARIO LIMITED	002069548	GOLDWHEEL INCORPORATED	000464533
2211186 ONTARIO LTD.	002211186	LIV REAL MARKETING INC.	001766132
502179 ONTARIO LIMITED	000502179	MEL SPOTSWOOD INTERNATIONAL INC.	000767123
509834 ONTARIO LIMITED	000509834	MIS TECHNOLOGIES INC.	001462050
869125 ONTARIO INC.	000869125	NORTHERN HEALTH RESEARCH INC.	001662233
2009-12-07		SHINCOKAR LIMITED	001548647
A1 AVANTE HAIR DESIGN INC.	001548042	YAALINI VIDEO INC.	002129575
CORNER BAKERY LTD.	001240365	1182778 ONTARIO INC.	001182778
DENNIS CASSIDY'S JEWELLERS LTD.	000341744	1697443 ONTARIO INC.	001697443
K AND L MOTORS INC.	000623117	399599 ONTARIO LIMITED	000399599
M.L. TRANSPORT SERVICES AND DELIVERIES INC.	001381371	943191 ONTARIO INC.	000943191
1552528 ONTARIO INC.	001552528	2009-12-15	
1571194 ONTARIO INC.	001571194	AVENUE NORTH INDUSTRIES INC.	002115656
1716433 ONTARIO INC.	001716433	BIG JOE'S CAFE LTD.	001230347
2054757 ONTARIO INC.	002054757	BLOCK 17 PROPERTIES INC.	001250872
2009-12-09		BORDER LOGISTICS TRANSPORTATION INC.	002033388
WORLDNET SERVICES CORP.	000979997	BUTLER & ROBERT'S MARKETING INC.	000306821
ZAP MUSIC & VIDEO INC.	001421680	CREDIT INDUSTRY GROUPS OF CANADA LTD.	001615556
1036397 ONTARIO LIMITED	001036397	D'AVAN FOODS LTD.	001483483
1422414 ONTARIO INC.	001422414	DAVID A. PLATT ASSOCIATES LTD.	001440640
1611090 ONTARIO INC.	001611090	DIGAYLECK INC.	002139181
2009-12-10		FORNELOS PAINTING & DECORATING LIMITED	000598391
A.N.P. TRANSPORT LTD.	001399387	GODEVA INVESTMENTS LIMITED	000931626
ART BY BIRO LIMITED	002157076	GOLDEN STANDARD LTD.	001524635
BRONBRIAN CORP.	001691492	GRAMERCY HOLDINGS INC.	000506283
CHATHAM COMPOSTING INC.	001492785	JACKSON PRESS LIMITED	000115638
CHEN ELECTRIC CONSTRUCTION CO. LTD.	001238230	MOUNTAIN RENDEZVOUS COLLECTIBLES LIMITED	001453707
HIGHCRAFT BUILDERS LIMITED	000079029	PLUMMER'S DRUG STORE INC.	001429711
HOPE; IT WILL WORK INC.	001302699	R. H. GALLAUGHER PHARMACY LTD.	000513222
LAKAMIDA LTD.	000349108	ROGER MAILHOT PHARMA CONSULTING INC.	001545005
MAZ OCCUPATIONAL HEALTH SERVICES LTD.	001212579	SUN DRUGS LTD	000506684
POLMARK CONSTRUCTION SERVICES INC.	001693753	TRIPLE PALMS SALES AND SERVICES LTD.	001040267
SENTINEL EMPLOYMENT SERVICES INC.	001538769	1076980 ONTARIO LTD.	001076980
SOURCE MX CANADA LTD.	001716313	1498306 ONTARIO LIMITED	001498306
SYSTEM ADVISORS NIAGARA INC.	002047404	2029889 ONTARIO INC.	002029889
THAKUR TRANSPORT AND CARRIER INC.	001621598	424900 ONTARIO LIMITED	000424900
UNIQUE CUSTOM CYCLES LIMITED	002081851	541993 ONTARIO LIMITED	000541993
ZIEGLER & ASSOCIATES INSURANCE BROKERS INC.	001404839	691547 ONTARIO LIMITED	000691547
1081081 ONTARIO LTD.	001081081	2009-12-16	
1404222 ONTARIO LTD.	001404222	A & L HARDWARE LIMITED	000369965
1413761 ONTARIO LIMITED	001413761	ASSOCIATED LEASEHOLDS LIMITED	001010726
1468618 ONTARIO INC.	001468618	CANADA BREAD INTERNATIONAL LTD.	001552002

Name of Corporation: Dénomination sociale de la société	Ontario Corporation Number Numéro de la société en Ontario
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CASBAH PRODUCTIONS INC.	000407091
F&S HOMEBUILDERS INC.	001682276
FOX-YANG IMPORTS LTD.	000869085
KHALSA TRANSIT LIMITED	000371417
KRYSTALREDEY KLEAR FINDINGS LTD.	001110375
QUANTARA INVESTMENTS LIMITED	000215665
TAO TECHNOLOGY FUNDING INC.	000943036
TRALALA ENTERPRISES LTD.	001193434
1202062 ONTARIO LTD.	001202062
1383512 ONTARIO LIMITED	001383512
1597610 ONTARIO INC.	001597610
1627098 ONTARIO INC.	001627098
2070134 ONTARIO INC.	002070134
2009-12-17	
DIXON'S OTHER SERVICES INC.	000879649
DJP FOODS INC.	001355408
MCPHEE NURSING PROFESSIONAL CORPORATION	001698095
MISTER BEER U BREW (KEELE) INC.	000994987
NORTHWOOD TECHNOLOGIES INC.	001457976
RERAISE GAMING INC.	001659654
TRICKLE LTD.	002200145
1129086 ONTARIO LIMITED	001129086
1610675 ONTARIO INC.	001610675
733659 ONTARIO INC.	000733659

KATHERINE M. MURRAY
Director, Ministry of Government Services
Directrice, Ministère des Services
gouvernementaux

(143-G005)

ORDER MADE UNDER THE MUNICIPAL ACT, 2001, S.O. 2001, c. 25

COUNTY OF LANARK

TOWN OF SMITHS FALLS

TOWNSHIP OF MONTAGUE

DEFINITIONS

1. In this Order,

"annexed area" means the area comprised of the lands described in the Schedule to this Order;

"Town" means The Corporation of the Town of Smiths Falls;

"County" means The Corporation of the County of Lanark; and

"Township" means The Corporation of the Township of Montague.

ANNEXATION

2.

- (1) On January 1, 2010, the portion of the Township described in the Schedule is annexed to the Town.
- (2) All real property including any highway, street fixture, waterline, easement and restrictive covenant running with the land, of the Township located in the annexed area vests in the Town on January 1, 2010.
- (3) Assets and liabilities of the Township or the County that are located in the annexed area remain the assets or liabilities of the Township

or the County, as the case may be.

BY-LAWS

3.

- (1) On January 1, 2010, the by-laws of the Town extend to the annexed area and the by-laws of the Township cease to apply to such area except,
 - (a) by-laws of the Township,
 - (i) that were passed under section 34 or 41 of the *Planning Act* or a predecessor of those sections; and
 - (ii) that were passed under the *Highway Traffic Act* or the *Municipal Act, 2001* or a predecessor of those Acts that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until amended to provide otherwise or repealed by the council of the Town;
 - (b) by-laws of the Township passed under sections 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections;
 - (c) by-laws of the Township passed under section 10 of the *Weed Control Act*; and
 - (d) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of the Township.

- (2) If the Township has commenced procedures to enact a by-law under any Act or to adopt an official plan or an amendment thereto under the *Planning Act*, and that by-law, official plan or amendment applies to the annexed area and is not in force on January 1, 2010, the council of the Town may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

DISPUTE RESOLUTION

4.

- (1) If a dispute arises with respect to any issue arising out of the interpretation of this Order, any of the municipalities may refer the matter in dispute for resolution through mediation.
- (2) If the dispute is not resolved through mediation or the parties cannot agree upon the selection of a mediator, then the matter may be referred to arbitration, to be conducted in accordance with the provisions of the *Arbitration Act, 1991*, except as provided herein.
- (3) Where a dispute is referred to arbitration under clause (2)(a), the decision of the arbitrator shall be final.
- (4) If two municipalities that are subject to this Order are parties to the mediation under subsection (1) or the arbitration under subsection (2), the costs associated with the mediation or arbitration proceedings shall be shared equally between the two municipalities.
- (5) If the three municipalities that are subject to this Order are parties to the mediation under subsection (1) or the arbitration under subsection (2), the costs associated with the mediation or arbitration proceedings shall be shared one half by the Town and the remaining half equally between the Township and the County.

SCHEDULE

Part of Lots 27, 28 and 29, Concession 2, Part of Lots 27, 28, 29 and 30, Concession 3, Montague, Part of Road Allowance between Concessions 2 and 3, Township of Montague, County of Lanark, more particularly described

as Parts 1, 2, 3, 4, 5 and 6 on Reference Plan 27R-9498; Part 1 on Reference Plan 27R-9609 and Parts 1, 2 and 3 on Reference Plan 27R-9630.

Dated on December 17, 2009

(143-G006) JIM WATSON
Minister of Municipal Affairs and Housing

THE REGIONAL MUNICIPALITY OF PEEL

THE REGIONAL MUNICIPALITY OF HALTON

THE CORPORATION OF THE CITY OF MISSISSAUGA

THE CORPORATION OF THE TOWN OF MILTON

DEFINITIONS

1. In this Order,

“annexed area” means the area comprised of the lands described in Schedule “A” to this Order;

“Peel” shall mean The Regional Municipality of Peel;

“Halton” shall mean The Regional Municipality of Halton;

“Mississauga” shall mean The Corporation of the City of Mississauga; and

“Milton” shall mean The Corporation of the Town of Milton.

ANNEXATION

2.

(1) On January 1, 2010 the portion of The Corporation of the Town of Milton and The Regional Municipality of Halton described in Schedule “A” is annexed to The Corporation of the City of Mississauga and The Regional Municipality of Peel.

(2) All real property, including any highway, fixture, easement or restrictive covenant running with the land, of Milton located in the annexed area vests in Mississauga on January 1, 2010.

(3) All real property, including any highway, fixture, easement or restrictive covenant running with the land, of Halton located in the annexed area vests in Peel on January 1, 2010.

(4) All assets and liabilities of Milton acquired or arising on or before December 31, 2009 with respect to the annexed area are transferred to Mississauga on January 1, 2010.

(5) All assets and liabilities of Halton acquired or arising on or before December 31, 2009 with respect to the annexed area are transferred to Peel on January 1, 2010.

(6) Despite subsections (2), (3) (4) and (5), any litigation commenced prior to January 1, 2010, or commenced after January 1, 2010 but with respect to matters that occurred prior to that date, with respect to the annexed area, remains the obligation of Milton and Halton, as the case may be.

(7) Despite subsections (2), (3), (4) and (5), the portion of the Ninth Line that is located within the annexed area is transferred from Halton to Mississauga on January 1, 2010.

WARDS

3. On January 1, 2010 the annexed area shall be removed from Ward 1 in

Milton and form part of Wards 8, 9 and 10 in Mississauga, as described in Schedule “B”.

COMPENSATION

4.

(1) On January 4, 2010, the following payments to Halton shall be made:

- (a) \$2,060,000.00 from Peel; and
- (b) \$1,230,000.00 from Mississauga.

(2) Of the funds received under subsection (1), Halton shall provide \$2,000,000.00 to Milton on or before January 5, 2010.

ASSESSMENT

5. For the purpose of the assessment roll to be prepared for Mississauga for the 2010 taxation year, the annexed area shall be deemed to be part of Mississauga and the annexed area shall be assessed on the same basis that the assessment roll for Mississauga is prepared.

BY-LAWS

6.

(1) On January 1, 2010, the by-laws of Peel and Mississauga extend to the annexed area and the by-laws of Halton and Milton cease to apply to such area except,

(a) by-laws that were passed under section 34 or 41 of the *Planning Act* or a predecessor of those sections;

(b) by-laws that were passed under the *Development Charges Act, 1997*;

(c) by-laws that were passed under the *Highway Traffic Act* or the *Municipal Act, 2001* or a predecessor of those Acts that regulate the use of highways by vehicles or pedestrians and the encroachment or projection of buildings, or any portion thereof upon or over highways;

(d) by-laws passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections;

(e) by-laws passed under section 10 of the *Weed Control Act*; and

(f) by-laws of Milton passed under section 29 of the *Ontario Heritage Act*,

which shall remain in force until amended to provide otherwise or repealed by the council of Mississauga or Peel, as the case may be; and

(h) any by-law conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of Halton or Milton.

(2) The official plan of Milton, as it applies to the annexed area, and approved under the *Planning Act* or a predecessor of that Act, becomes an official plan of Mississauga and shall remain in force until amended or repealed.

(3) The official plan of Halton, as it applies to the annexed area, and approved under the *Planning Act* or a predecessor of that Act, becomes an official plan of Peel and shall remain in force until amended or repealed.

(4) If Milton has commenced procedures to enact a by-law under any Act or to adopt an official plan or an amendment thereto under the *Planning Act*, and that by-law, official plan or amendment applies to the annexed area and is not in force on January 1, 2010, the council of Mississauga may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to

the annexed area.

- (5) If Halton has commenced procedures to enact a by-law under any Act or to adopt an official plan or an amendment thereto under the *Planning Act*, and that by-law, official plan or amendment applies to the annexed area and is not in force on January 1, 2010, the council of Peel may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

TAXES ETC

- 7.
- (1) All real property taxes, special rates or charges levied under any general or special Act in the annexed area which are due and unpaid on December 31, 2009 shall be deemed on January 1, 2010 to be taxes due and payable to Mississauga and may be collected by Mississauga.
- (2) On or before January 15, 2010, the clerk of Milton shall prepare and furnish to the clerk of Mississauga a special collector's roll showing all arrears of real property taxes or special rates and charges assessed against the land in the annexed area up to and including December 31, 2009, and the persons assessed for them.
- (3) On or before February 1, 2010, Mississauga shall pay to Milton an amount equal to the amount of the real property taxes or special rates and charges which are due and unpaid up to and including December 31, 2009 for the land in the annexed area.

DISPUTE RESOLUTION

- 8.
- (1) If a dispute arises with respect to any issue arising out of the interpretation of this Order, any of the municipalities may refer the matter in dispute for resolution through mediation.
- (2) If the dispute is not resolved through mediation or the parties cannot agree upon the selection of a mediator, then the matter may be referred to arbitration, to be conducted in accordance with the provisions of the *Arbitration Act, 1991*, except as provided herein.
- (3) Where a dispute is referred to arbitration under subsection (2) the decision of the arbitrator shall be final.
- (4) The costs associated with the mediation or arbitration proceedings shall be shared equally between the municipalities.

SCHEDULE "A"

Lands to be Annexed to the City of Mississauga on January 1, 2010

In the Town of Milton, Regional Municipality of Halton (originally the Geographic Township of Trafalgar) being composed of Part of Lots 5 and 6, Concession 2, North of Dundas Street and Part of the original Township Road Allowance between Lots 5 and 6, North of Dundas Street and Part of the original Township Road Allowance between Lots 5 and 6, North of Dundas Street closed by Bylaw 105-2009, Instrument Number HR731808 and Part of the original Township Road Allowance between Concession 2, North of Dundas Street and Lot 1, Concession 2 New Survey and Part of Lots 1 to 14 both inclusive, Concession 9, New Survey and Part of the Township Road Allowance between Concessions 9 and 10, New Survey and Part of Lots 1 to 5 both inclusive, Registered Plan 162, described as follows:

FIRSTLY:

Commencing at a point where the centreline of Highway 401 is intersected by the existing westerly limit, as it existed on December 31, 2009, of the City of Mississauga;

Thence southerly along the existing westerly limit of the City of Mississauga (being the east limit of the road allowance for Ninth Line in the said New Survey), 8,610 metres more or less, to the point where the said City limit

intersects northerly limit of Lower Base Line Road also being the most northerly corner of Part 1, Plan 20R-18446;

Thence westerly along the northerly limit of Lower Base Line Road also being the northerly limit of Plan 20R-18446, 239 metres more or less to a point intersected by the centreline of Highway 407 also being the most westerly corner of Part 1, Plan 20R-18446;

Thence northerly along the centreline of Highway 407, 8,660 metres more or less, to a point where the centreline of Highway 407 intersects the centreline of Highway 401;

Thence easterly along the centreline of Highway 401, 280 metres more or less, to the point of commencement.

SECONDLY:

Part of the Township Road Allowance between Concession 2, North of Dundas Street and Lot 1, Concession 9, New Survey (Geographic Township of Trafalgar) more particularly described as Part 1, Plan 20R-18446.

THIRDLY:

Part of Lot 1, Registered Plan 162, more particularly described as Parts 2 and 3, Plan 20R-18446.

FOURTHLY:

Part of the Township Road Allowance between Lots 5 and 6, Concession 2, North of Dundas Street (Geographic Township of Trafalgar), more particularly described as Parts 4 and 11 Plan 20R-18446 and that part of the Township Road Allowance between Lots 5 and 6 North of Dundas Street closed by By-law 105-2009, Instrument Number HR731808, more particularly described as Part 10 Plan 20R-18446;

FIFTHLY:

Part of Lots 2, 3, and 4, Registered Plan 162, more particularly described as Part 6, Plan 20R-18446.

SIXTHLY:

Part of Lot 5, Registered Plan 162, more particularly described as Part 7, Plan 20R-18446.

SEVENTHLY:

Part of Lot 6, Concession 2, North of Dundas Street (Geographic Township of Trafalgar), more particularly described as Parts 8 and 9, Plan 20R-18446.

EIGHTHLY:

Part of Lot 5, Concession 2, North of Dundas Street (Geographic Township of Trafalgar), more particularly described as Part 5, Plan 20R-18446.

SCHEDULE "B"

Lands to be Annexed to Wards 8, 9 and 10 of the City of Mississauga on January 1, 2010

Lands to be Annexed to Ward 8

FIRSTLY:

COMMENCING at the intersection of the centreline of Lower Base Line Road with the north easterly limit of Part 1, Plan 20R-18446;

THENCE southerly along the north easterly limit of Part 1, Plan 20R- 18446 to a point in the southerly limit of Lower Base Line Road also being the most easterly point of Part 1, Plan 20R-18446;

THENCE westerly along the southerly limit of Lower Base Line Road, to the most southerly corner of Part 1, Plan 20R-18446;

THENCE northerly along the south westerly limit of Part 1, Plan 20R-18446; to a point where the said limit intersects the centreline of Lower Base Line Road.

THENCE easterly along the centreline of Lower Base Line Road, through Part 1 on Plan 20R-18446 to the point of commencement.

SECONDLY:

Parts 2 to 11 both inclusive on a Plan of Survey deposited at the Halton Land Registry Office (No. 20), November 27, 2009 as Plan 20R-18446.

Lands to be Annexed to Ward 9

COMMENCING at a point where the centreline of Highway 401 is intersected by the existing westerly limit, as it existed on December 31, 2009, of the City of Mississauga;

THENCE southerly along the existing westerly limit of the City of Mississauga to a point where the said City limit intersects the centreline of the St. Lawrence and Hudson Railway Company lands;

THENCE westerly along the centerline of the St. Lawrence and Hudson Railway lands to a point where the said centreline intersects the centreline of Highway 407;

THENCE northerly along the centreline of Highway 407 to a point where the said centreline intersects the centreline of Highway 401;

THENCE easterly along the centreline of Highway 401 to the point of commencement.

Lands to be Annexed to Ward 10

COMMENCING at a point where the centerline of the St. Lawrence and Hudson Railway Company lands is intersected by the existing westerly limit, as it existed on December 31, 2009, of the City of Mississauga;

THENCE southerly along the existing westerly limit of the City of Mississauga, to the northerly limit of Eglinton Avenue;

THENCE westerly along the production of the northerly limit of Eglinton Avenue to the northerly angle of Part 1, Plan 20R-18446;

THENCE southerly along the north easterly limit of Part 1 on Plan 20R-18446 to a point where the north easterly limit of Part 1 on Plan 20R-18446 intersects the centreline of Lower Base Line Road;

THENCE westerly along the centreline of Lower Base Line Road, through Part 1 on Plan 20R-18446 to the south westerly limit of Part 1 on Plan 20R-18446;

THENCE northerly along the south westerly limit of Part 1, Plan 20R-18446 to a point where the said limit intersects the northerly limit of Lower Base Line Road being the westerly angle of Part 1 on Plan 20R-18446;

THENCE westerly along the northerly limit of Lower Base Line Road to the intersection of the centreline of Highway 407;

THENCE northerly from the last mention point along the centreline of Highway 407 to a point where the said centreline intersects the centerline of the St. Lawrence and Hudson Railway Company lands;

THENCE easterly along the centerline of the St. Lawrence and Hudson Railway Company lands to the point of commencement.

Dated on December 17, 2009

(143-G007) JIM WATSON
Minister of Municipal Affairs and Housing

COUNTY OF LANARK

TOWN OF PERTH

TOWNSHIP OF DRUMMOND NORTH ELSLEY

DEFINITIONS

1. In this Order,
 - "annexed area" means the area comprised of the lands described in the Schedule to this Order;
 - "Town" means The Corporation of the Town of Perth;
 - "County" means The Corporation of the County of Lanark; and
 - "Township" means The Corporation of the Township of Drummond North Elmsley.

ANNEXATION

2.
 - (1) On January 1, 2010, the portion of the Township described in the Schedule is annexed to the Town.
 - (2) All real property including any highway, street fixture, waterline, easement and restrictive covenant running with the land, of the Township located in the annexed area vests in the Town on January 1, 2010.
 - (3) Assets and liabilities of the Township or the County that are located in the annexed area remain the assets or liabilities of the Township or the County, as the case may be.
 - (4) Despite subsection (2), any litigation commenced prior to December 31, 2009, with respect to the annexed area remains the obligation of the Township or the County, as the case may be.

TAXES, ETC

3.
 - (1) All real property taxes under any general or special Act levied and uncollected in the annexed area which are due and unpaid on December 31, 2009, shall be deemed on January 1, 2010, to be taxes, special rates and charges due and payable to the Town and may be collected by the Town.
 - (2) On or before February 1, 2010, the clerk of the Township shall prepare and furnish to the clerk of the Town a special collector's roll showing all arrears of real property taxes or special rates and charges assessed against the land in the annexed area up to and including December 31, 2009, and the persons assessed for them.
 - (3) Within 30 days of the date of collection by the Town of real property taxes or special rates and charges that the Township is entitled to collect in the annexed area under subsection (1) that were due but unpaid on December 31, 2009, the Town shall pay to the Township an amount equal to the amount collected by the Town under subsection (1).
 - (4) If the Township has commenced procedures under the *Municipal Act, 2001* for the annexed area and the procedures are not completed by January 1, 2010, the Town may continue the procedures.

ASSESSMENT

4. For the purposes of the assessment roll to be prepared for the Town under the *Assessment Act* for the 2010 taxation year, the annexed area shall be deemed to be part of the Town and the annexed areas shall be assessed on the same basis that the assessment roll for the Town is prepared.

TAX PHASE-IN

5. Any increase in the rates of taxation for municipal purposes for the annexed area which would occur solely as a result of this Order shall be phased in for the Town's portion of the real property tax bill by 33.3% of the difference between the Township's tax rate in 2009 and the Town's tax rate in 2010 in the first year and 66.6% of the difference in the second year.

BY-LAWS

- 6.
- (1) On January 1, 2010, the by-laws of the Town extend to the annexed area and the by-laws of the Township cease to apply to such area except,
- (a) by-laws of the Township,
- (i) that were passed under section 34 or 41 of the *Planning Act* or a predecessor of those sections; and
- (ii) that were passed under the *Highway Traffic Act* or the *Municipal Act, 2001* or a predecessor of those Acts that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,
- which shall remain in force until amended to provide otherwise or repealed by the council of the Town;
- (b) by-laws of the Township passed under sections 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections;
- (c) by-laws of the Township passed under section 10 of the *Weed Control Act*; and
- (d) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of the Township.
- (2) If the Township has commenced procedures to enact a by-law under any Act or to adopt an official plan or an amendment thereto under the *Planning Act*, and that by-law, official plan or amendment applies to the annexed area and is not in force on January 1, 2010, the council of the Town may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

DISPUTE RESOLUTION

- 7.
- (1) If a dispute arises with respect to any issue arising out of the interpretation of this Order, any of the municipalities may refer the matter in dispute for resolution through mediation.
- (2) If the dispute is not resolved through mediation or the parties cannot agree upon the selection of a mediator, then the matter may be referred to arbitration, to be conducted in accordance with the provisions of the *Arbitration Act, 1991*, except as provided herein.
- (3) Where a dispute is referred to arbitration under clause (2)(a), the decision of the arbitrator shall be final.
- (4) The costs associated with any mediation or arbitration proceedings shall be shared equally among the municipalities that are parties to the mediation or arbitration proceedings.

SCHEDULE

All that part of Lot 2 in Concession 3, geographic township of Drummond, now in the Township of Drummond North Elmsley, described as Parts 1 and 2 on Reference Plan 27R-9653.

Dated on December 15, 2009

(143-G208) JIM WATSON
Minister of Municipal Affairs and Housing

COUNTY OF LANARK

TOWN OF PERTH

TOWNSHIP OF TAY VALLEY

DEFINITIONS

1. In this Order,
- "annexed area" means the area comprised of the lands described in the Schedule to this Order;
- "Town" means The Corporation of the Town of Perth;
- "County" means The Corporation of the County of Lanark; and
- "Township" means The Corporation of the Township of Tay Valley.

ANNEXATION

- 2.
- (1) On January 1, 2010, the portion of the Township described in the Schedule is annexed to the Town.
- (2) All real property, including any highway, street fixture, waterline, easement and restrictive covenant running with the land, of the Township located in the annexed area vests in the Town on January 1, 2010.
- (3) Assets and liabilities of the Township or the County that are located in the annexed area remain the assets or liabilities of the Township or the County, as the case may be.
- (4) Despite subsection (2), any litigation commenced prior to December 31, 2009, with respect to the annexed area remains the obligation of the Township or the County, as the case may be.

TAXES, ETC.

- 3.
- (1) All real property taxes under any general or special Act levied and uncollected in the annexed area which are due and unpaid on December 31, 2009, shall be deemed on January 1, 2010, to be taxes, special rates and charges due and payable to the Town and may be collected by the Town.
- (2) On or before February 1, 2010, the clerk of the Township shall prepare and furnish to the clerk of the Town a special collector's roll showing all arrears of real property taxes or special rates and charges assessed against the land in the annexed area up to and including December 31, 2009, and the persons assessed for them.
- (3) Within 30 days of the date of collection by the Town of real property taxes or special rates and charges that the Township is entitled to collect in the annexed area under subsection (1) that were due but unpaid on December 31, 2009, the Town shall pay to the Township an amount equal to the amount collected by the Town under subsection (1).
- (4) If the Township has commenced procedures under the *Municipal Act, 2001* for the annexed area and the procedures are not completed by January 1, 2010, the Town may continue the procedures.

ASSESSMENT

4. For the purposes of the assessment roll to be prepared for the Town under the *Assessment Act* for the 2010 taxation year, the annexed area shall be deemed to be part of the Town and the annexed areas shall be assessed on the same basis that the assessment roll for the Town is prepared.

TAX PHASE-IN

5. Any increase in the rates of taxation for municipal purposes for the annexed area which would occur solely as a result of this Order shall be phased in for the Town's portion of the real property tax bill by 33.3% of the difference between the Township's tax rate in 2009 and the Town's tax rate in 2010 in the first year and 66.6% of the difference in the second year.

BY-LAWS

- 6.
- (1) On January 1, 2010, the by-laws of the Town extend to the annexed area and the by-laws of the Township cease to apply to such area except,
- (a) by-laws of the Township,
- (i) that were passed under section 34 or 41 of the *Planning Act* or a predecessor of those sections; and
- (ii) that were passed under the *Highway Traffic Act* or the *Municipal Act, 2001* or a predecessor of those Acts that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,
- which shall remain in force until amended to provide otherwise or repealed by the council of the Town;
- (b) by-laws of the Township passed under sections 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections;
- (c) by-laws of the Township passed under section 10 of the *Weed Control Act*; and
- (d) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of the Township.
- (2) If the Township has commenced procedures to enact a by-law under any Act or to adopt an official plan or an amendment thereto under the *Planning Act*, and that by-law, official plan or amendment applies to the annexed area and is not in force on January 1, 2010, the council of the Town may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

DISPUTE RESOLUTION

- 7.
- (1) If a dispute arises with respect to any issue arising out of the interpretation of this Order, any of the municipalities may refer the matter in dispute for resolution through mediation.
- (2) If the dispute is not resolved through mediation or the parties cannot agree upon the selection of a mediator, then the matter may be referred to arbitration, to be conducted in accordance with the provisions of the *Arbitration Act, 1991*, except as provided herein.
- (3) Where a dispute is referred to arbitration under clause (2)(a), the decision of the arbitrator shall be final.
- (4) The costs associated with any mediation or arbitration proceedings shall be shared equally among the municipalities that are parties to the mediation or arbitration proceedings.

SCHEDULE

That part of Lots 26 and 27 in Concession 1, part of Lots 25, 26 & 27 in Concession 2, part of the Road Allowance between Concessions 1 & 2 and part of the Road Allowance between the Townships of Drummond and Bathurst, all in the Township of Tay Valley, described as follows:

Commencing at the most southerly corner of Lot 26 in Concession 2: Thence southwesterly, following the southeasterly limit of the East Half Lot 25, Concession 2, to the most southerly corner of the East Half Lot 25;

Thence northwesterly, following the division line between the East Half and West Half Lot 25 to the most westerly corner of the East Half Lot 25;

Thence northeasterly, following the northwesterly limit of Lots 25 and 26, Concession 2 being also the southerly limit of the Road Allowance between Concessions 2 & 3 to a point, being the westerly portion of Part 3 on Plan RD-22;

Thence easterly, following the southerly limit of Part 3 on Plan RD-22, on the following courses and distances;

N54° 19'50"E, a distance of 78.22 feet (23.84 metres) to a point;

Thence on a curve to the left, having a radius of 3869.72 feet (1179.49 metres), a chord distance of 365.70 feet (111.47 metres) measured on a bearing of N51° 37' 20"E, the arc distance being 365.84 feet (111.51 metres) to a point;

Thence N48° 54'50"E, a distance of 1012.63 feet (308.65 metres) to the intersection of the said southerly limit of Part 3 on Plan RD-22 and the limit between Lots 26 and 27 in Concession 2

Thence southeasterly, following the limit between Lots 26 & 27 in Concession 2, to its intersection with the northerly limit of the Tay River.

Thence easterly, following the northerly limit of Tay River to its intersection with the centreline of the Road Allowance between the Townships of Drummond and Bathurst;

Thence southerly, following the centerline of the Road Allowance between the Townships of Drummond and Bathurst, to its intersection with the northerly limit of Grant's Creek;

Thence westerly and southerly, following the northerly limit of Grant's Creek, to its intersection with the division line between the East Half and West Half of Lot 26 in Concession 1;

Thence northwesterly, following the division line between the East Half and West Half Lot 26 in Concession 1 and its production, to its intersection with the southeasterly limit of Lot 26 in Concession 2;

Thence southwesterly, following the southeasterly limit of Lot 26, Concession 2, to the point of commencement.

Dated on December 15, 2009

(143-G009) JIM WATSON
Minister of Municipal Affairs and Housing

**Applications to
Provincial Parliament — Private Bills
Demandes au Parlement
provincial — Projets de loi d'intérêt privé**

PUBLIC NOTICE

The rules of procedure and the fees and costs related to applications for Private Bills are set out in the Standing Orders of the Legislative Assembly. Copies of the Standing Orders, and the guide "Procedures for Applying for Private Legislation", may be obtained from the Legislative Assembly's Internet site at <http://www.ontla.on.ca> or from:

Committees Branch
Room 1405, Whitney Block, Queen's Park
Toronto, Ontario M7A 1A2

Telephone: 416/325-3500 (Collect calls will be accepted)

Applicants should note that consideration of applications for Private Bills that are received after the first day of September in any calendar year may be postponed until the first regular Session in the next following calendar year.

(8699) T.F.N.

DEBORAH DELLER,
Clerk of the Legislative Assembly.

**Publications under Part III (Regulations) of the Legislation Act, 2006
Règlements publiés en application de la partie III (Règlements)
de la Loi de 2006 sur la législation**

2010—01—02

ONTARIO REGULATION 482/09

made under the

HIGHWAY TRAFFIC ACT

Made: December 12, 2009

Filed: December 16, 2009

Published on e-Laws: December 17, 2009

Printed in *The Ontario Gazette*: January 2, 2010

Amending Reg. 622 of R.R.O. 1990
(Stopping of Vehicles on Parts of the King's Highway)

Note: Regulation 622 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. Appendix A to Regulation 622 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedule:

SCHEDULE 14
HIGHWAY NO. 144

1. On the east side of that part of the King's Highway known as No. 144 in the Town of Dowling in the City of Greater Sudbury lying between a point situate at its intersection with the northerly limit of the roadway known as Leonard Street and a point situate at its intersection with the southerly limit of the roadway known as Houle Avenue.

2. This Regulation comes into force on the day it is filed.

Made by:

JIM BRADLEY
Minister of Transportation

Date made: December 12, 2009.

1/10

ONTARIO REGULATION 483/09

made under the

HIGHWAY TRAFFIC ACT

Made: December 12, 2009
 Filed: December 16, 2009
 Published on e-Laws: December 17, 2009
 Printed in *The Ontario Gazette*: January 2, 2010

Amending Reg. 598 of R.R.O. 1990
 (Gross Weight on Bridges)

Note: Regulation 598 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. Section 1 of Regulation 598 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

1. No person shall move a vehicle or combination of vehicles on, over or upon a bridge described in Column 1 of Schedule 1 or 3.2 if the gross weight of the vehicle or combination of vehicles is greater than the weight in tonnes set opposite in Column 2.

2. The Regulation is amended by adding the following Schedule:

SCHEDULE 1
 SIBLEY CREEK BRIDGE

Column 1	Column 2
Bridge	Gross Weight Limit in Tonnes
Bridge No. 48C-94, known as the Sibley Creek Bridge, on that part of the King's Highway known as No. 587, in the Township of Sibley in the District of Thunder Bay, over the Sibley Creek.	3 tonnes

3. This Regulation comes into force on the day it is filed.

Made by:

JIM BRADLEY
Minister of Transportation

Date made: December 12, 2009.

1/10

ONTARIO REGULATION 484/09
made under the
FARM PRODUCTS MARKETING ACT

Made: December 9, 2009
Filed: December 16, 2009
Published on e-Laws: December 18, 2009
Printed in *The Ontario Gazette*: January 2, 2010

GRAIN (GRAIN CORN, SOYBEANS AND WHEAT) — PLAN

Definitions

1. In this Regulation,

- “board member” means a member of the local board elected or appointed under this Regulation; (“membre de la commission locale”)
- “district” means a grain producing district established by section 5; (“district”)
- “fiscal year” means the fiscal year of the local board; (“exercice”)
- “geographic area” means a geographic area under the *Territorial Division Act, 2002*; (“zone géographique”)
- “grain” means one or more of grain corn, soybeans and wheat; (“grain”)
- “grain corn” means corn, other than seed corn, sweet corn or popping corn, produced in Ontario; (“maïs-grain”)
- “licence fees” means the licence fees payable to the local board under Ontario Regulation 485/09 (Grain (Grain Corn, Soybeans and Wheat) — Licensing and Regulation) made under the Act; (“droits de permis”)
- “producer” means a sole proprietor, corporation, partnership or joint venture that produces grain in Ontario; (“producteur”)
- “soybeans” means soybeans produced in Ontario; (“soya”)
- “wheat” means any variety of wheat produced in Ontario. (“blé”)

Plan

2. This Regulation establishes the plan for the control and regulation of the producing and marketing of grain within Ontario.

Local board

3. (1) A local board is established under the name “Grain Farmers of Ontario”.
- (2) The local board has the authority, and shall exercise the powers and perform the duties,
- (a) that the Commission delegates to it under the Act; and
- (b) that are given or assigned to it by this Regulation and by any other applicable regulation.
- (3) The local board has the following powers:
1. The local board has such powers of a natural person as are necessary for the local board to exercise its other powers and perform its duties under the Act, subject to any limitations set out in this Regulation or any other regulation that applies to the local board.
 2. The local board may accept extra-provincial powers and rights.
 3. Where authorized by by-law, and subject to Regulation 400 of the Revised Regulations of Ontario, 1990 (By-laws for Local Boards) made under the Act, the local board may,
 - i. borrow money on the credit of the local board,
 - ii. issue, sell or pledge debt obligations of the local board, or
 - iii. charge, mortgage, hypothecate or pledge all or any currently owned or subsequently acquired real or personal movable or immovable property of the local board, including book debts, rights, powers, franchises and undertakings, to secure any debt obligations or any money borrowed or other debt or liability of the local board.
- (4) The local board shall not,
- (a) establish or acquire a controlling interest in a corporation or other entity;

- (b) exercise its powers and perform its duties, or purport to do so, through a corporation or other entity; or
- (c) indemnify or agree to indemnify any person in relation to any action or other proceeding except as permitted by Regulation 400 of the Revised Regulation of Ontario, 1990 (By-Laws for Local Boards) made under the Act.

Composition of local board

- 4.** (1) The local board shall be composed of 15 board members.
- (2) The board members shall be producers elected or appointed to represent the 15 districts established by section 5.
 - (3) There shall be one board member elected or appointed in accordance with section 9 to represent each district.
 - (4) A producer is eligible to be a board member for a district only if,
 - (a) the producer is a member of the group of producers for the district, as determined under section 6; and
 - (b) at the time of the producer's election or appointment to the board, the producer is a delegate to the District Grain Committee for the district, having been elected as such under section 7.

Grain producing districts

5. For the purposes of elections to the local board and to the District Grain Committees, the following grain producing districts are established:

- 1. District 1, composed of the geographic area of Essex.
- 2. District 2, composed of the geographic area of Chatham-Kent.
- 3. District 3, composed of the geographic area of Lambton.
- 4. District 4, composed of the geographic area of Middlesex.
- 5. District 5, composed of the geographic areas of Elgin and Norfolk.
- 6. District 6, composed of the geographic areas of Brant, Haldimand, Hamilton and Niagara.
- 7. District 7, composed of the geographic areas of Oxford and Waterloo.
- 8. District 8, composed of the geographic area of Huron.
- 9. District 9, composed of the geographic area of Perth.
- 10. District 10, composed of the geographic areas of Bruce, Grey and Wellington.
- 11. District 11, composed of the geographic areas of Dufferin, Halton, Peel, Simcoe, Toronto and York.
- 12. District 12, composed of the geographic areas of Durham, Hastings, Kawartha Lakes, Northumberland and Peterborough.
- 13. District 13, composed of the geographic areas of Frontenac, Lanark, Leeds and Grenville, Lennox and Addington, Ottawa and Prince Edward.
- 14. District 14, composed of the geographic areas of Prescott and Russell and Stormont, Dundas and Glengarry.
- 15. District 15, composed of the geographic areas of Haliburton and the Territorial Districts of Algoma, Cochrane, Kenora, Manitoulin, Muskoka, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay and Timiskaming.

District group of producers

- 6.** (1) A producer is a member of the group of producers for a district if,
- (a) in the case of a sole proprietor, the producer resides in the district;
 - (b) in the case of a corporation or partnership, the producer's head office is located in the district; and
 - (c) in the case of a joint venture, the producer indicates by written notice to the District Grain Committee for the district that the producer is a member of the group of producers for the district.
- (2) A producer who produces grain in an area not included in any of the districts established by section 5 is a member of the group of producers for,
- (a) in the case of a sole proprietor, the district that is nearest to the producer's residence;
 - (b) in the case of a corporation or partnership, the district that is nearest to the location of the producer's head office; and

- (c) in the case of a joint venture, the district that the producer selects by written notice to the District Grain Committee for the district.

District Grain Committee

7. (1) A committee known as the "District Grain Committee" is established in each district.
- (2) After January 5 and on or before February 15 of each year, the members of the group of producers for each district shall elect delegates to the District Grain Committee for the district.
- (3) A District Grain Committee shall be composed of eight delegates from the district and the number of additional delegates from the district, if any, determined for the district under section 8.
- (4) A producer is eligible to be elected as a delegate for a district if the producer is a member of the group of producers for the district.
- (5) The delegates to a District Grain Committee shall be elected for a term that begins on the day following their election and ends on the day of the election of delegates to the Committee in the following year.

Allocation of additional delegates

8. (1) In this section,
 "provincial yield" means, in respect of grain corn, soybeans or wheat, its average annual provincial yield per acre, as determined by Agricorp.
- (2) Thirty additional delegates shall be apportioned among the districts in accordance with this section.
- (3) On or before December 15 of each year, the local board shall determine, in accordance with the following rules, the number of additional delegates that shall be elected in each district in the following year's elections to District Grain Committees, subject to subsections (5) to (8):
1. Estimate the acres of grain on which licence fees were collected by the local board for the district for the fiscal year ending in the calendar year in which the determination is being made and the two immediately preceding fiscal years, by adding the following amounts for each of the three fiscal years:
 - i. The tonnes of grain corn on which licence fees were collected for the district in the fiscal year, as determined by the local board, divided by the provincial yield for grain corn for the calendar year in which the fiscal year commenced.
 - ii. The tonnes of soybeans on which licence fees were collected for the district in the fiscal year, as determined by the local board, divided by the provincial yield for soybeans for the calendar year in which the fiscal year commenced.
 - iii. The tonnes of wheat on which licence fees were collected for the district in the fiscal year, as determined by the local board, divided by the provincial yield for wheat for the calendar year in which the fiscal year commenced.
 2. Add the acres of grain on which licence fees were collected for the district, as estimated under paragraph 1, for each of the three fiscal years and divide the sum by three to obtain the average.
 3. Divide the average obtained under paragraph 2 by the sum of the averages obtained under that paragraph for all of the districts, and multiply the result by 100.
 4. Subtract 6.67 from the number obtained under paragraph 3.
 5. If the amount calculated under paragraph 4 is zero or less than zero, no additional delegates shall be elected in the district.
 6. If the amount calculated under paragraph 4 is greater than zero, the number of additional delegates that shall be elected in the district shall be determined in accordance with paragraphs 7 and 8.
 7. If paragraph 6 applies in respect of the district, divide the amount calculated under paragraph 4 by the sum of the amounts obtained under paragraph 4 for all of the districts to which paragraph 6 applies, and multiply the result by the number of additional delegates referred to in under subsection (2).
 8. The amount calculated under paragraph 7, rounded to the nearest whole number, is the number of additional delegates who shall be elected in the district.
- (4) On or before January 5 of each year, the local board shall give written notice to the District Grain Committee for each district of the number of additional delegates that shall be elected in each district in the elections for the year.
- (5) Subsection (3) applies, with the following modifications, to the determination of the number of additional delegates that shall be elected in each district for the purposes of the elections to District Grain Committees in 2010:

1. The local board shall make its determination on or before January 4, 2010.

2. The local board shall estimate the acres of grain on which licence fees were collected for a district by adding the following amounts:
 - i. The tonnes of grain corn on which licence fees were collected by the Ontario Corn Producers' Association for the district in the fiscal year of the Ontario Corn Producers' Association that ended in 2009, as determined by the local board, divided by the provincial yield for grain corn for 2008.
 - ii. The tonnes of soybeans on which licence fees were collected by the Ontario Soybean Growers for the district in the fiscal year of the Ontario Soybean Growers that ended in 2009, as determined by the local board, divided by the provincial yield for soybeans for 2008.
 - iii. The tonnes of wheat on which licence fees were collected by The Ontario Wheat Producers' Marketing Board for the district in the fiscal year of The Ontario Wheat Producers' Marketing Board that ended in 2009, as determined by the local board, divided by the provincial yield for wheat for 2008.
 3. Paragraphs 1 and 2 of subsection (3) do not apply.
 4. Paragraphs 3 to 8 of subsection (3) apply with necessary modifications.
- (6) Subsection (3) applies, with the following modifications, to the determination of the number of additional delegates that shall be elected in each district for the purposes of the elections to District Grain Committees in 2011:
1. The local board shall estimate the acres of grain on which licence fees were collected for a district by adding the following amounts:
 - i. The sum of the tonnes of grain corn on which licence fees were collected by the Ontario Corn Producers' Association for the district during the period of June 1, 2009 to December 31, 2009 and the tonnes of grain corn on which licence fees were collected by the local board for the district during the period of January 1, 2010 and May 31, 2010, as determined by the local board, divided by the provincial yield for grain corn for 2009.
 - ii. The sum of the tonnes of soybeans on which licence fees were collected by the Ontario Soybean Growers for the district during the period of June 1, 2009 to December 31, 2009 and the tonnes of soybeans on which licence fees were collected by the local board for the district during the period of January 1, 2010 and May 31, 2010, as determined by the local board, divided by the provincial yield for soybeans for 2009.
 - iii. The sum of the tonnes of wheat on which licence fees were collected by The Ontario Wheat Producers' Marketing Board for the district during the period of June 1, 2009 to December 31, 2009 and the tonnes of wheat on which licence fees were collected by the local board for the district during the period of January 1, 2010 and May 31, 2010, as determined by the local board, divided by the provincial yield for wheat for 2009.
 2. Paragraphs 1 and 2 of subsection (3) do not apply.
 3. Paragraphs 3 to 8 of subsection (3) apply with necessary modifications.
- (7) Subsection (3) applies, with the following modifications, to the determination of the number of additional delegates that shall be elected in each district for the purposes of the elections to District Grain Committees in 2012:
1. Paragraph 1 of subsection (3) applies only with respect to the fiscal year ending in 2011.
 2. Paragraph 2 of subsection (3) does not apply.
 3. Paragraphs 3 to 8 of subsection (3) apply with necessary modifications.
- (8) Subsection (3) applies, with the following modifications, to the determination of the number of additional delegates that shall be elected in each district for the purposes of the elections to District Grain Committees in 2013:
1. Paragraph 1 of subsection (3) applies only with respect to the fiscal year ending in 2011 and the fiscal year ending in 2012.
 2. Paragraphs 2 to 8 of subsection (3) apply with necessary modifications.

Election, term, first meeting of board members

9. (1) On or before March 1 of each year, the District Grain Committee for each district shall elect one board member.
- (2) If a District Grain Committee fails to elect a board member on or before March 1, the other board members shall, within seven days, appoint a board member for the district.
- (3) The first meeting of the local board shall be held on or before March 16, once all of the board members have been elected or appointed.
- (4) A board member takes office on the day of the first meeting of the local board, and holds the office until his or her successor takes office.

First local board

10. Within five days after the day this Regulation comes into force, the Commission shall appoint 15 members to the local board to hold office until their successors are elected or appointed in accordance with section 9.

Vacancies on local board

11. (1) If, before the expiry of a board member's term, the board member dies, resigns, ceases to be a producer or otherwise becomes unable to act, the remaining delegates to the District Grain Committee to which the board member is or was a delegate may, within 30 days of the applicable event, appoint a replacement board member to fill the vacancy for the remainder of the term.

(2) If the remaining delegates of the District Grain Committee do not appoint a replacement board member under subsection (1) within the specified time, the Commission may do so.

Review of districts by the local board

12. (1) The local board shall, in accordance with this section,

- (a) conduct a review of the methodology set out in this Regulation for determining producer representation on the local board; and
- (b) develop and submit to the Commission recommendations respecting improvements to the methodology, including recommendations as to whether any changes are required to the following and, if so, what the changes should be:
 - (i) the number of districts,
 - (ii) the district boundaries,
 - (iii) the minimum number of delegates required for a district, as set out in subsection 7 (3), and the number of additional delegates that are apportioned among the districts under subsection 8 (2), and
 - (iv) the number of board members.

(2) Before submitting recommendations to the Commission, the local board shall obtain approval of the recommendations from a majority of the delegates holding office under section 7 at the time the approval is sought.

(3) A review shall be conducted and the resulting recommendations submitted to the Commission,

- (a) in the first instance, on or before the third anniversary of the day on which this Regulation comes into force; and
- (b) in every subsequent instance, on or before the fifth anniversary of the day on which the previous recommendation was submitted to the Commission.

(4) In conducting a review for the purposes of this section, the local board shall,

- (a) determine, in accordance with subsection (5), each district's proportion of the total number of producers in Ontario;
- (b) determine, in accordance with subsection (6), each district's proportion of the total number of estimated acres of grain on which licence fees are collected in Ontario; and
- (c) determine whether any changes in the proportions referred to in clauses (a) and (b) warrant a change to any of the matters listed in clause (1) (b).

(5) A district's proportion of the total number of producers in Ontario shall be determined by,

- (a) adding the number of producers in the district in respect of whom licence fees were paid for each of the previous three fiscal years and dividing the sum by three to obtain the average;
- (b) adding the number of producers in all of the districts in respect of whom licence fees were paid for each of the previous three fiscal years and dividing the sum by three to obtain the average; and
- (c) dividing the average obtained under clause (a) by the average obtained under clause (b) and multiplying the result by 100.

(6) A district's proportion of the total number of estimated acres of grain on which licence fees are collected in Ontario shall be determined by making the calculations described in paragraphs 1, 2 and 3 of subsection 8 (3).

(7) The local board shall ensure that the recommendations it submits under this section comply with the following requirements:

- 1. A district shall be composed of at least one geographic area.
- 2. If a district is composed of more than one geographic area, the geographic areas shall be contiguous.
- 3. Subject to paragraphs 4 and 5, a district shall include at least five per cent, but not more than 15 per cent, of the total number of producers in Ontario, as determined under clause (5) (b), and at least five per cent, but not more than 15 per

cent, of the total number of estimated acres of grain on which licence fees are collected in Ontario, as determined under subsection (6).

4. The portion of Ontario lying north of the 45th parallel of latitude and including those geographic areas that are intersected by the 45th parallel of latitude shall be represented by at least one district.
5. The portion of Ontario lying east of the line that is formed by the eastern boundaries of the geographic areas of Simcoe, Toronto and York and south of the 45th parallel of latitude shall be represented by at least two districts.

(8) For the purposes of the first review and recommendations submitted to the Commission, this section applies with such modifications as the Commission specifies.

Dissolution of Ontario Soybean Growers

13. (1) The Ontario Soybean Growers is dissolved.
- (2) All assets and liabilities of the Ontario Soybean Growers are vested in and assumed by the local board.
- (3) All records of information in any form that are in the possession of the Ontario Soybean Growers immediately before its dissolution shall be transferred to the local board.

Dissolution of The Ontario Wheat Producers' Marketing Board

14. (1) The Ontario Wheat Producers' Marketing Board is dissolved.
- (2) All assets and liabilities of The Ontario Wheat Producers' Marketing Board are vested in and assumed by the local board.
- (3) All records of information in any form that are in the possession of The Ontario Wheat Producers' Marketing Board immediately before its dissolution shall be transferred to the local board.

REVOCATIONS AND COMMENCEMENT

Revocations

15. The following Regulations are revoked:

1. **Regulation 432 of the Revised Regulations of Ontario, 1990.**
2. **Regulation 443 of the Revised Regulations of Ontario, 1990.**

Commencement

16. **This Regulation comes into force on the later of January 1, 2010 and the day this Regulation is filed.**

RÈGLEMENT DE L'ONTARIO 484/09

pris en application de la

LOI SUR LA COMMERCIALISATION DES PRODUITS AGRICOLES

pris le 9 décembre 2009
 déposé le 16 décembre 2009
 publié sur le site Lois-en-ligne le 18 décembre 2009
 imprimé dans la *Gazette de l'Ontario* le 2 janvier 2010

GRAIN (MAÏS-GRAIN, SOYA ET BLÉ) — PLAN

Définitions

1. Les définitions qui suivent s'appliquent au présent règlement.

«blé» Toute variété de blé produit en Ontario. («wheat»)

«district» District de production de grain créé aux termes de l'article 5. («district»)

«droits de permis» Droits de permis payables à la commission locale en application du Règlement de l'Ontario 485/09 (Grain (Maïs-grain, soya et blé) — Délivrance de permis et réglementation) pris en application de la Loi. («licence fees»)

«exercice» L'exercice de la commission locale. («fiscal year»)

«grain» Maïs-grain, soya ou blé ou une combinaison de ceux-ci. («grain»)

«maïs-grain» Maïs, autre que le maïs de semence, le maïs sucré ou le maïs à éclater, produit en Ontario. («grain corn»)

«membre de la commission locale» Membre de la commission locale élu ou nommé aux termes du présent règlement.
(«board member»)

«producteur» Propriétaire unique, personne morale, société de personnes ou coentreprise qui produit du grain en Ontario.
(«producer»)

«soya» Soya produit en Ontario. («soybeans»)

«zone géographique» S'entend au sens de la *Loi de 2002 sur la division territoriale*. («geographic area»)

Plan

2. Le présent règlement établit le plan pour la régie et la réglementation de la production et de la commercialisation du grain en Ontario.

Commission locale

3. (1) Est constituée une commission locale appelée «Grain Farmers of Ontario».

(2) La commission locale exerce les pouvoirs et accomplit les fonctions :

- a) que lui délègue la Commission en vertu de la Loi;
- b) que lui attribuent le présent règlement et tout autre règlement applicable.

(3) La commission locale est investie des pouvoirs suivants :

1. La commission locale a les pouvoirs d'une personne physique qui sont nécessaires pour qu'elle exerce les autres pouvoirs et fonctions que lui attribue la Loi, sous réserve des restrictions énoncées dans le présent règlement ou tout autre règlement qui s'applique à la commission locale.
2. La commission locale peut accepter des pouvoirs et des droits extraprovinciaux.
3. Lorsqu'un règlement administratif l'y autorise et sous réserve du Règlement 400 des Règlements refondus de l'Ontario de 1990 (Règlements administratifs des commissions locales) pris en application de la Loi, la commission locale peut :
 - i. contracter des emprunts sur le crédit de la commission locale,
 - ii. émettre, vendre ou mettre en gage les titres de créance de la commission locale,
 - iii. afin de garantir un titre de créance sur la commission locale ou un emprunt, une dette ou une autre obligation de la commission locale, grever d'une charge, hypothéquer, nantir ou mettre en gage la totalité ou une partie de biens meubles ou immeubles présents ou futurs de la commission locale, y compris des comptes clients, des droits, des pouvoirs, des concessions et des engagements.

(4) La commission locale ne doit pas, selon le cas :

- a) créer une personne morale ou une autre entité, ni acquérir des intérêts majoritaires dans l'une ou l'autre;
- b) exercer ses pouvoirs et ses fonctions, ou prétendre de le faire, par l'intermédiaire d'une personne morale ou d'une autre entité;
- c) indemniser ou convenir d'indemniser quiconque relativement à une action ou une autre instance, sauf si le Règlement 400 des Règlements refondus de l'Ontario de 1990 (Règlements administratifs des commissions locales) pris en application de la Loi le permet.

Composition de la commission locale

4. (1) La commission locale se compose de 15 membres.

(2) Les membres de la commission locale sont des producteurs élus ou nommés pour représenter les 15 districts créés aux termes de l'article 5.

(3) Un membre de la commission locale est élu ou nommé conformément à l'article 9 pour représenter chaque district.

(4) Un producteur ne peut être admissible à devenir membre de la commission locale pour un district que si les conditions suivantes sont réunies :

- a) il est membre du groupe de producteurs pour le district, tel qu'il est déterminé en application de l'article 6;
- b) au moment de son élection ou de sa nomination à la commission, il est délégué au comité de district pour le district, ayant été élu à ce titre aux termes de l'article 7.

Districts de production de grain

5. Sont créés les districts de production de grain suivants aux fins des élections à la commission locale et aux comités de district :

1. Le district 1, qui se compose de la zone géographique d'Essex.

2. Le district 2, qui se compose de la zone géographique de Chatham-Kent.
3. Le district 3, qui se compose de la zone géographique de Lambton.
4. Le district 4, qui se compose de la zone géographique de Middlesex.
5. Le district 5, qui se compose des zones géographiques d'Elgin et de Norfolk.
6. Le district 6, qui se compose des zones géographiques de Brant, de Haldimand, de Hamilton et de Niagara.
7. Le district 7, qui se compose des zones géographiques d'Oxford et de Waterloo.
8. Le district 8, qui se compose de la zone géographique de Huron.
9. Le district 9, qui se compose de la zone géographique de Perth.
10. Le district 10, qui se compose des zones géographiques de Bruce, de Grey et de Wellington.
11. Le district 11, qui se compose des zones géographiques de Dufferin, de Halton, de Peel, de Simcoe, de Toronto et de York.
12. Le district 12, qui se compose des zones géographiques de Durham, de Hastings, de Kawartha Lakes, de Northumberland et de Peterborough.
13. Le district 13, qui se compose des zones géographiques de Frontenac, de Lanark, de Leeds et Grenville, de Lennox et Addington, d'Ottawa et de Prince Edward.
14. Le district 14, qui se compose des zones géographiques de Prescott et Russell et de Stormont, Dundas et Glengarry.
15. Le district 15, qui se compose des zones géographiques de Haliburton et des districts territoriaux d'Algoma, de Cochrane, de Kenora, de Manitoulin, de Muskoka, de Nipissing, de Parry Sound, de Rainy River, de Sudbury, de Thunder Bay et de Timiskaming.

Groupe de district de producteurs

6. (1) Un producteur est membre du groupe de producteurs pour un district si :
 - a) dans le cas d'un propriétaire unique, il réside dans le district;
 - b) dans le cas d'une personne morale ou d'une société de personnes, son siège social est situé dans le district;
 - c) dans le cas d'une coentreprise, il indique qu'il est membre du groupe de producteurs pour le district par avis écrit donné au comité de district pour le district.
- (2) Le producteur qui produit du grain dans une zone qui ne fait pas partie des districts créés aux termes de l'article 5 est membre du groupe de producteurs :
 - a) pour le district le plus rapproché de sa résidence, dans le cas d'un propriétaire unique;
 - b) pour le district le plus rapproché de l'emplacement de son siège social, dans le cas d'une personne morale ou d'une société de personnes;
 - c) pour le district qu'il choisit par avis écrit donné au comité de district pour le district, dans le cas d'une coentreprise.

Comité de district

7. (1) Est créé dans chaque district un comité appelé «District Grain Committee».
- (2) Après le 5 janvier et au plus tard le 15 février de chaque année, les membres du groupe de producteurs pour chaque district élisent des délégués au comité de district pour leur district.
- (3) Le comité de district se compose de huit délégués du district et du nombre de délégués supplémentaires du district, le cas échéant, déterminé pour celui-ci en application de l'article 8.
- (4) Un producteur peut être élu délégué pour un district s'il est membre du groupe de producteurs pour le district.
- (5) Le mandat des délégués élus au comité de district commence le jour suivant leur élection et se termine le jour de l'élection des délégués au comité l'année suivante.

Répartition des délégués supplémentaires

8. (1) La définition qui suit s'applique au présent article.

«rendement provincial» Relativement au maïs-grain, au soya ou au blé, s'entend de son rendement provincial annuel moyen à l'acre, selon ce qu'établit Agricorp.

(2) Trente délégués supplémentaires sont répartis entre les districts conformément au présent article.

(3) Au plus tard le 15 décembre de chaque année, la commission locale détermine, conformément aux règles suivantes, le nombre supplémentaire de délégués qui doivent être élus dans chaque district lors des élections de l'année suivante aux comités de district, sous réserve des paragraphes (5) à (8) :

1. Déterminer le nombre estimatif d'acres de grain pour lesquels des droits de permis ont été perçus par la commission locale pour le district pour l'exercice qui se termine dans l'année civile au cours de laquelle la détermination est faite et pour les deux exercices précédents, en faisant le total des quantités suivantes pour chacun des trois exercices :
 - i. Les tonnes de maïs-grain pour lesquelles des droits de permis ont été perçus pour le district au cours de l'exercice, selon ce que détermine la commission locale, divisées par le rendement provincial du maïs-grain pour l'année civile au cours de laquelle l'exercice a commencé.
 - ii. Les tonnes de soya pour lesquelles des droits de permis ont été perçus pour le district au cours de l'exercice, selon ce que détermine la commission locale, divisées par le rendement provincial du soya pour l'année civile au cours de laquelle l'exercice a commencé.
 - iii. Les tonnes de blé pour lesquelles des droits de permis ont été perçus pour le district au cours de l'exercice, selon ce que détermine la commission locale, divisées par le rendement provincial du blé pour l'année civile au cours de laquelle l'exercice a commencé.
2. Ajouter le nombre d'acres de grain pour lesquels des droits de permis ont été perçus pour le district, tel qu'il est estimé en application de la disposition 1, pour chacun des trois exercices, puis diviser le total obtenu par trois afin d'obtenir la moyenne.
3. Diviser la moyenne obtenue en application de la disposition 2 par le total des moyennes obtenues en application de cette disposition pour tous les districts, puis multiplier le résultat obtenu par 100.
4. Soustraire 6,67 du nombre obtenu en application de la disposition 3.
5. Si le résultat obtenu en application de la disposition 4 est de zéro ou est inférieur à zéro, aucun délégué supplémentaire ne doit être élu dans le district.
6. Si le résultat obtenu en application de la disposition 4 est supérieur à zéro, le nombre de délégués supplémentaires qui doivent être élus dans le district est déterminé conformément aux dispositions 7 et 8.
7. Si la disposition 6 s'applique à l'égard du district, diviser le résultat obtenu en application de la disposition 4 par le total de ceux obtenus en application de cette disposition pour tous les districts auxquels s'applique la disposition 6, puis multiplier le résultat obtenu par le nombre de délégués supplémentaires mentionné au paragraphe (2).
8. Le résultat obtenu en application de la disposition 7, arrondi au nombre entier le plus près, est le nombre de délégués supplémentaires qui doivent être élus dans le district.

(4) Au plus tard le 5 janvier de chaque année, la commission locale avise par écrit le comité de district de chaque district du nombre de délégués supplémentaires qui doivent être élus dans chaque district lors des élections de l'année.

(5) Le paragraphe (3) s'applique, avec les adaptations suivantes, à la détermination du nombre de délégués supplémentaires qui doivent être élus dans chaque district aux fins des élections aux comités de district en 2010 :

1. La commission locale fait la détermination au plus tard le 4 janvier 2010.
2. La commission locale détermine le nombre estimatif d'acres de grain pour lesquels des droits de permis ont été perçus pour un district en additionnant les quantités suivantes :
 - i. Les tonnes de maïs-grain pour lesquelles des droits de permis ont été perçus par l'Association des producteurs de maïs de l'Ontario pour le district au cours de son exercice qui s'est terminé en 2009, selon ce que détermine la commission locale, divisées par le rendement provincial du maïs-grain pour 2008.
 - ii. Les tonnes de soya pour lesquelles des droits de permis ont été perçus par la commission appelée «Ontario Soybean Growers» pour le district au cours de son exercice qui s'est terminé en 2009, selon ce que détermine la commission locale, divisées par le rendement provincial du soya pour 2008.
 - iii. Les tonnes de blé pour lesquelles des droits de permis ont été perçus par la commission appelée «The Ontario Wheat Producers' Marketing Board» pour le district au cours de son exercice qui s'est terminé en 2009, selon ce que détermine la commission locale, divisées par le rendement provincial du blé pour 2008.
3. Les dispositions 1 et 2 du paragraphe (3) ne s'appliquent pas.
4. Les dispositions 3 à 8 du paragraphe (3) s'appliquent avec les adaptations nécessaires.

(6) Le paragraphe (3) s'applique, avec les adaptations suivantes, à la détermination du nombre de délégués supplémentaires qui doivent être élus dans chaque district aux fins des élections aux comités de district en 2011 :

1. La commission locale détermine le nombre estimatif d'acres de grain pour lesquels des droits de permis ont été perçus pour un district en additionnant les montants suivants :
 - i. La somme des tonnes de maïs-grain pour lesquelles des droits de permis ont été perçus par l'Association des producteurs de maïs de l'Ontario pour le district au cours de la période commençant le 1^{er} juin 2009 et se terminant le 31 décembre 2009 et des tonnes de maïs-grain pour lesquelles des droits de permis ont été perçus par la commission locale pour le district au cours de la période commençant le 1^{er} janvier 2010 et se terminant le 31 mai 2010, selon ce que détermine la commission locale, divisée par le rendement provincial du maïs-grain pour 2009.
 - ii. La somme des tonnes de soya pour lesquelles des droits de permis ont été perçus par la commission appelée «Ontario Soybean Growers» pour le district au cours de la période commençant le 1^{er} juin 2009 et se terminant le 31 décembre 2009 et des tonnes de soya pour lesquelles des droits de permis ont été perçus par la commission locale pour le district au cours de la période commençant le 1^{er} janvier 2010 et se terminant le 31 mai 2010, selon ce que détermine la commission locale, divisée par le rendement provincial du soya pour 2009.
 - iii. La somme des tonnes de blé pour lesquelles des droits de permis ont été perçus par la commission appelée «The Ontario Wheat Producers' Marketing Board» pour le district au cours de la période commençant le 1^{er} juin 2009 et se terminant le 31 décembre 2009 et des tonnes de blé pour lesquelles des droits de permis ont été perçus par la commission locale pour le district au cours de la période commençant le 1^{er} janvier 2010 et se terminant le 31 mai 2010, selon ce que détermine la commission locale, divisée par le rendement provincial du blé pour 2009.
2. Les dispositions 1 et 2 du paragraphe (3) ne s'appliquent pas.
3. Les dispositions 3 à 8 du paragraphe (3) s'appliquent avec les adaptations nécessaires.

(7) Le paragraphe (3) s'applique, avec les adaptations suivantes, à la détermination du nombre de délégués supplémentaires qui doivent être élus dans chaque district aux fins des élections aux comités de district en 2012 :

1. La disposition 1 du paragraphe (3) ne s'applique qu'à l'égard de l'exercice qui se termine en 2011.
2. La disposition 2 du paragraphe (3) ne s'applique pas.
3. Les dispositions 3 à 8 du paragraphe (3) s'appliquent avec les adaptations nécessaires.

(8) Le paragraphe (3) s'applique, avec les adaptations suivantes, à la détermination du nombre de délégués supplémentaires qui doivent être élus dans chaque district aux fins des élections aux comités de district en 2013 :

1. La disposition 1 du paragraphe (3) ne s'applique qu'à l'égard de l'exercice qui se termine en 2011 et de celui qui se termine en 2012.
2. Les dispositions 2 à 8 du paragraphe (3) s'appliquent avec les adaptations nécessaires.

Élection, mandat et première réunion des membres de la commission locale

9. (1) Au plus tard le 1^{er} mars de chaque année, les membres du comité de district pour chaque district élisent un membre de la commission locale.

(2) Si les membres d'un comité de district n'éisent pas un membre de la commission locale au plus tard le 1^{er} mars, les autres membres de la commission locale en nomment un pour le district, et ce dans un délai de sept jours.

(3) La première réunion de la commission locale se tient au plus tard le 16 mars, lorsque que tous ses membres ont été élus ou nommés.

(4) Le membre de la commission locale exerce ses fonctions à compter du jour de la première réunion de la commission locale jusqu'à l'entrée en fonction de son successeur.

Première commission locale

10. Dans les cinq jours de l'entrée en vigueur du présent règlement, la Commission nomme 15 membres à la commission locale pour qu'ils exercent leurs fonctions jusqu'à l'élection ou la nomination de leurs successeurs conformément à l'article 9.

Vacances

11. (1) Si un membre de la commission locale décède, démissionne ou cesse d'être producteur ou en cas d'empêchement de celui-ci avant l'expiration de son mandat, les autres délégués au comité de district auquel le membre est ou était un délégué peuvent, dans les 30 jours qui suivent l'événement qui s'applique, nommer un membre remplaçant pour combler la vacance jusqu'à l'expiration de son mandat.

(2) Si les autres délégués au comité de district ne nomment pas de membre remplaçant en vertu du paragraphe (1) dans le délai précisé, la Commission peut le faire.

Examen des districts par la commission locale

12. (1) La commission locale fait ce qui suit, conformément au présent article :

- a) elle effectue un examen de la méthode énoncée dans le présent règlement pour déterminer la représentation des producteurs au sein de la commission locale;
- b) elle formule et présente à la Commission des recommandations sur les améliorations à apporter à la méthode, notamment des recommandations sur la question de savoir si des modifications doivent être apportées aux éléments suivants et dans l'affirmative, quelles devraient être ces modifications :
 - (i) le nombre de districts,
 - (ii) les limites des districts,
 - (iii) le nombre minimal de délégués requis pour un district, tel qu'il est énoncé au paragraphe 7 (3), et le nombre de délégués supplémentaires qui sont répartis entre les districts en application du paragraphe 8 (2),
 - (iv) le nombre de membres de la commission locale.

(2) Avant de présenter des recommandations à la Commission, la commission locale les fait approuver par la majorité des délégués qui sont en fonction aux termes de l'article 7 au moment où l'approbation est demandée.

(3) L'examen est effectué et les recommandations qui en résultent sont présentées à la Commission :

- a) dans le cas du premier examen, au plus tard le troisième anniversaire du jour de l'entrée en vigueur du présent règlement;
- b) dans le cas de chaque examen subséquent, au plus tard le cinquième anniversaire du jour où la recommandation précédente a été présentée à la Commission.

(4) Lorsqu'elle effectue un examen pour l'application du présent article, la commission locale fait ce qui suit :

- a) elle détermine, conformément au paragraphe (5), la proportion du nombre total de producteurs en Ontario qui est attribuable à chaque district;
- b) elle détermine, conformément au paragraphe (6), la proportion du nombre total estimatif d'acres de grain pour lesquels des droits de permis sont perçus en Ontario qui est attribuable à chaque district;
- c) elle décide si des modifications apportées aux proportions prévues aux alinéas a) et b) justifient la modification de l'un ou l'autre des éléments énumérés à l'alinéa (1) b).

(5) La proportion du nombre total de producteurs en Ontario attribuable à un district est déterminée comme suit :

- a) en faisant le total du nombre de producteurs dans le district à l'égard desquels des droits de permis ont été payés pour chacun des trois exercices précédents, puis en divisant le résultat obtenu par trois afin d'obtenir la moyenne;
- b) en faisant le total du nombre de producteurs dans tous les districts à l'égard desquels des droits de permis ont été payés pour chacun des trois exercices précédents, puis en divisant le résultat obtenu par trois afin d'obtenir la moyenne;
- c) en divisant la moyenne obtenue en application de l'alinéa a) par la moyenne obtenue en application de l'alinéa b), puis en multipliant le résultat obtenu par 100.

(6) La proportion du nombre total estimatif d'acres de grain pour lesquels des droits de permis sont perçus en Ontario qui est attribuable à un district est déterminée en effectuant les calculs prévus aux dispositions 1, 2 et 3 du paragraphe 8 (3).

(7) La commission locale veille à ce que les recommandations qu'elle présente en application du présent article satisfassent aux exigences suivantes :

1. Un district doit être composé d'au moins une zone géographique.
2. Si un district est composé de plus d'une zone géographique, celles-ci doivent être contiguës.
3. Sous réserve des dispositions 4 et 5, un district doit comprendre entre cinq et 15 pour cent du nombre total de producteurs en Ontario, tel qu'il est déterminé en application de l'alinéa (5) b), et entre cinq et 15 pour cent du nombre total estimatif d'acres de grain pour lesquels des droits de permis sont perçus en Ontario, tel qu'il est déterminé en application du paragraphe (6).
4. La partie de l'Ontario située au nord du 45^e parallèle de latitude, et notamment les zones géographiques qui sont croisées par le 45^e parallèle de latitude, doit être représentée par au moins un district.
5. La partie de l'Ontario située à l'est de la ligne formée par les limites est des zones géographiques de Simcoe, de Toronto et de York et au sud du 45^e parallèle de latitude doit être représentée par au moins deux districts.

(8) Aux fins du premier examen effectué et des premières recommandations présentées à la Commission, le présent article s'applique avec les adaptations que précise cette dernière.

Dissolution de la commission appelée «Ontario Soybean Growers»

- 13.** (1) La commission appelée «Ontario Soybean Growers» est dissoute.
 (2) L'actif et le passif de la commission sont dévolus à la commission locale.
 (3) Tous les dossiers de renseignements, sous quelque forme que ce soit, qui sont en la possession de la commission immédiatement avant sa dissolution sont transférés à la commission locale.

Dissolution de la commission appelée «The Ontario Wheat Producers' Marketing Board»

- 14.** (1) La commission appelée «The Ontario Wheat Producers' Marketing Board» est dissoute.
 (2) L'actif et le passif de la commission sont dévolus à la commission locale.
 (3) Tous les dossiers de renseignements, sous quelque forme que ce soit, qui sont en la possession de la commission immédiatement avant sa dissolution sont transférés à la commission locale.

ABROGATIONS ET ENTRÉE EN VIGUEUR

Abrogations

15. Les règlements suivants sont abrogés :

1. Le Règlement 432 des Règlements refondus de l'Ontario de 1990.
2. Le Règlement 443 des Règlements refondus de l'Ontario de 1990.

Entrée en vigueur

- 16. Le présent règlement entre en vigueur le dernier en date du 1^{er} janvier 2010 et du jour de son dépôt.**

1/10

ONTARIO REGULATION 485/09

made under the

FARM PRODUCTS MARKETING ACT

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GRAIN (GRAIN CORN, SOYBEANS AND WHEAT) — LICENSING AND REGULATION

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DEFINITIONS AND APPLICATION

Definitions**1. In this Regulation,**

“buyer” means a person who purchases grain directly from a producer, whether through an agent or otherwise; (“acheteur”)

“farm animal” means,

- (a) livestock, including poultry and ratites,
- (b) fur-bearing animals,
- (c) bees,
- (d) cultured fish,
- (e) deer and elk, and
- (f) game animals and birds; (“animal d'élevage”)

“farm operation” means an agricultural, aquacultural, horticultural or silvicultural operation that is operated for the purpose of making a profit and includes,

- (a) growing, producing or raising farm animals,
- (b) the production of agricultural crops, including greenhouse crops, nursery stock, tobacco and trees, and
- (c) the production of eggs, cream and milk; (“exploitation agricole”)

“fiscal year” means the fiscal year of the local board; (“exercice”)

“grain” means one or more of grain corn, soybeans and wheat; (“grain”)

“Grain Committee” means the Grain Section Committee of the Ontario Agri Business Association; (“comité des céréales”)

“grain corn” means corn, other than seed corn, sweet corn or popping corn, produced in Ontario; (“maïs-grain”)

“licence” means a licence referred to in subsection 4 (1); (“permis”)

“local board” means the Grain Farmers of Ontario established by Ontario Regulation 484/09 (Grain (Grain Corn, Soybeans and Wheat) — Plan) made under the Act; (“commission locale”)

“processing” means cleaning, drying, treating, turning, washing, grinding, roasting, rolling, pulverizing, cracking, crimping, crushing, fractionalizing, micronizing, distilling or any similar activity, and includes,

- (a) processing with or without other ingredients, and
- (b) processing or manufacturing articles of food or drink in whole or in part from grain; (“transformation”)

“processor” means a person engaged in processing grain in Ontario; (“transformateur”)

“producer” means a sole proprietor, corporation, partnership or joint venture that produces grain in Ontario; (“producteur”)

“soybeans” means soybeans produced in Ontario; (“soya”)

“wheat” means any variety of wheat produced in Ontario. (“blé”)

Application — exceptions

- 2.** This Regulation does not apply to,
- (a) grain produced and used by a producer at his or her own farm operation; or
 - (b) grain produced and sold by a producer directly to a farm owner or operator, if,
 - (i) the grain is not processed by the producer beyond being cleaned, dried or turned, or any combination of them, before it is sold, and
 - (ii) the farm owner or operator intends to use the grain at his or her farm operation.

LICENSING

Requirement for licence

- 3.** (1) No producer shall sell or offer to sell grain that he or she has produced except under the authority of a licence.
- (2) Subsection (1) applies in respect of grain that is,
- (a) unprocessed; or
 - (b) processed by the producer.

Deemed to be licensed

- 4.** (1) Every producer who sells or offers to sell grain that he or she has produced, regardless of whether the producer has first processed the grain, is deemed to be the holder of a licence, unless the licence is suspended or revoked.
- (2) The local board may, after a hearing, impose such terms and conditions on a licence as the local board considers proper.
- (3) The local board may, after a hearing, suspend or revoke a licence where the local board is of the opinion that a licensee has failed to comply with or has contravened the Act, the applicable regulations or any order or direction of the local board that applies to the licensee.

Licence fees

- 5.** (1) Every licensee shall pay to the local board the licence fees fixed by the local board under paragraph 2 of section 7.
- (2) The local board may, for the purpose of paying its expenses in carrying out and enforcing the Act and the regulations with respect to grain but for no other purpose, use licence fees and other money it receives.
- (3) Subsection (2) does not apply in respect of the following expenses incurred by the local board:
- 1. Expenses incurred in providing services under paragraph 4 of subsection 9 (1).
 - 2. Expenses incurred from the sale of wheat under subsection 10 (1).
 - 3. Expenses incurred in relation to the fund established under section 11.
- (4) Subsection (2) does not apply in respect of the following money received by the local board:
- 1. Service charges received by the local board under paragraph 5 of subsection 9 (1).
 - 2. Money received by the local board from the sale of wheat under subsection 10 (1).
 - 3. Money received by the local board in relation to the fund established under section 11.

POWERS OF LOCAL BOARD

Delegation of powers

- 6.** The following powers of the Commission are delegated to the local board under subsection 3 (3) of the Act:
- 1. Requiring producers, buyers, processors and any persons or bodies who assemble, offer to sell, sell, ship, store or transport grain to register their names, business addresses and e-mail addresses with the local board.
 - 2. Requiring producers, buyers, processors and any persons or bodies who assemble, offer to sell, sell, ship, store or transport grain to furnish such information relating to their activities with respect to the production or marketing, as the case may be, of grain as the local board determines is necessary to enable it to exercise its powers and perform its duties under the Act and the regulations.
 - 3. Appointing persons to inspect, at any reasonable time, the books, records, documents and premises, excluding a dwelling, of producers, buyers, processors or any persons or bodies who assemble, offer to sell, sell, ship, store or transport grain, if,
 - i. the books, records, documents or premises relate to the production or marketing of grain, and

- ii. the inspection of the books, records, documents or premises is necessary to the local board's exercise of its powers or performance of its duties under the Act and the regulations.
- 4. Appointing persons to inspect, at any reasonable time, grain in the possession of producers, buyers, processors or any persons or bodies who assemble, offer to sell, sell, ship, store or transport grain, if the inspection of the grain is necessary to the local board's exercise of its powers or performance of its duties under the Act and the regulations.
- 5. Making such orders and issuing such directions as are necessary to enforce the Act and the regulations with respect to grain.

Delegation of regulation-making powers

7. The following regulation-making powers of the Commission are delegated to the local board under subsection 7 (7) of the Act:

- 1. Providing for the imposition, disposition, use and, subject to subsection 7 (2) of the Act, amount of penalties where, after a hearing, the local board is of the opinion that a licensee has failed to comply with or has contravened any term or condition of the licence, any provision of the Act or the application regulations, or any order or direction of the local board.
- 2. Providing for the fixing of licence fees and the timing of their payment and for the collection of outstanding licence fees, including their recovery by way of a legal proceeding.
- 3. Requiring any person who receives grain to deduct from the money payable for the grain any licence fees payable to the local board by the person from whom the person receives the grain, and to forward such licence fees to the local board.
- 4. Requiring every processor who processes grain that he or she has produced to furnish to the local board statements of the amounts of grain that he or she produced and used for processing in any year.
- 5. Providing for exemption from any or all of the regulations made by the local board of,
 - i. any class, variety, grade or size of any grain, or
 - ii. any class of persons engaged in assembling, buying, offering to sell, processing, producing, selling, shipping, storing or transporting grain or any class, variety, grade or size of any grain.
- 6. Authorizing the fixing of,
 - i. prompt payment discounts for licence fees, and
 - ii. interest on outstanding licence fees payable by any person required to pay the fees.

Other powers

8. (1) The local board may stimulate, increase and improve the production or marketing of grain by such means as the local board considers proper in view of the purpose of the Act.

(2) The local board may co-operate with any of the following for the purposes of improving the production or marketing of grain:

- 1. The government of Canada or of any province of Canada.
- 2. Any local board, marketing board, marketing commission or marketing agency in Canada.
- 3. Any organization of producers of farm products in Canada.

ADDITIONAL POWERS OF LOCAL BOARD — WHEAT

Vesting of powers re wheat

9. (1) The following powers are vested in the local board under subsection 8 (1) of the Act with respect to wheat:

- 1. To direct and control the assembling, processing, selling, storing or transporting of wheat that the local board,
 - i. purchases or otherwise acquires from a producer, or
 - ii. sells on behalf of producers under subsection 10 (1).
- 2. To determine the quality of each class, variety, grade and size of wheat that a producer may sell, offer to sell or process.
- 3. To prohibit producers from selling, offering to sell or processing any class, variety, grade or size of wheat.
- 4. To offer services to producers with respect to the advertising, assembling, buying, cleaning, drying, offering for sale, selling, shipping, storing, turning or transporting of wheat and to provide one or more of the offered services to a producer at the producer's request.

5. To fix service charges for every service provided under paragraph 4 and to require producers who receive a service to pay the service charges.
6. To collect from any person by way of a legal proceeding the price of wheat sold by the local board.
7. To purchase or otherwise acquire such quantities of wheat as the local board considers advisable and to sell or otherwise dispose of any of the wheat.
8. To pay to producers from whom it purchases wheat the price for the wheat less any service charges imposed under paragraph 5.

(2) If the local board provides services to a producer under paragraph 4 of subsection (1), the local board shall provide to the producer a statement showing the particulars of the services provided and the charges fixed under paragraph 5 of that subsection for the services.

(3) If the local board sells wheat on behalf of a producer under paragraph 4 of subsection (1), each payment under paragraph 8 of that subsection in respect of the wheat sold shall be accompanied by a statement from the local board showing the class, variety, grade or size and the quantity of wheat that was sold and the price paid for the wheat.

(4) The local board may, for the purpose of paying expenses incurred by it in providing services under paragraph 4 of subsection (1) but for no other purpose, use service charges received by the local board under paragraph 5 of that subsection.

Power to conduct pools re wheat

10. (1) The local board may conduct sales of wheat that it consolidates into pools of a specified class, variety, grade or size, on behalf of producers who deliver wheat of that class, variety, grade or size for the purpose.

(2) The local board shall conduct a pool for distributing all money received by the local board from sales conducted in respect of each pool under subsection (1) and, after deducting all necessary and proper disbursements and expenses, shall distribute the remainder of the money received from the sale in such manner that every producer of wheat receives a share of the remainder of the money received from the sale in relation to the amount, class, variety, grade or size of wheat delivered by the producer, and may make an initial payment on delivery of the wheat and subsequent payments until all of the remainder of the money received from the sale is distributed to the producers.

Power to establish fund for wheat price risk mitigation

11. (1) The local board may establish a fund for the purpose of mitigating the risk of fluctuation in the price of the wheat that it buys or sells.

(2) A fund established under subsection (1) may be used for,

- (a) buying and selling wheat futures contracts and wheat futures options;
- (b) buying and selling currency futures contracts and currency futures options; and
- (c) any other similar or related wheat price hedging activity.

(3) All necessary and proper expenses related to the activities referred to in subsection (2) shall be paid from the fund, subject to subsections (4) and (5).

(4) If the local board carries out activities referred to in subsection (2) in relation to wheat that it sells on behalf of a producer under paragraph 4 of subsection 9 (1), all necessary and proper expenses related to the activities shall be fixed as service charges payable by the producer under paragraph 5 of subsection 9 (1).

(5) If the local board carries out activities referred to in subsection (2) in relation to wheat sold on behalf of producers under subsection 10 (1), all necessary and proper expenses related to the activities shall be deducted from the money received from the sale of the wheat in accordance with subsection 10 (3).

Power to appoint agents re wheat

12. The local board may, in respect of wheat, appoint agents, prescribe their duties and terms and conditions of appointment, and provide for their remuneration.

LIMITS IN FINANCIAL MATTERS

Limit on fees

13. (1) The total amount of licence fees established by the local board under paragraph 2 of section 7 that are payable in any fiscal year shall not exceed the amount of the necessary and proper expenses incurred by the local board during that fiscal year.

(2) The expenses referred to in subsection (1) do not include,

- (a) expenses incurred in providing services under paragraph 4 of subsection 9 (1);
- (b) expenses incurred from the sale of wheat under subsection 10 (1); or

(c) expenses incurred in relation to the fund established under section 11.

Limit on service charges

14. The total amount of service charges fixed by the local board under paragraph 5 of subsection 9 (1) for services provided under paragraph 4 of that subsection shall not exceed the necessary and proper expenses incurred by the local board in providing those services.

Limit on operating reserve

15. The local board may maintain an operating reserve, but the amount of the reserve in any fiscal year shall not exceed the amount of the local board's annual expenses for that fiscal year, as determined under section 17.

Limit on net assets

16. (1) The net assets of the local board in any fiscal year shall not exceed the amount of the local board's annual expenses for that fiscal year, as determined under section 17.

(2) The net assets referred to in subsection (1) do not include the following amounts:

1. The local board's net fixed capital assets.
2. Net assets related to the provision of services by the local board under paragraph 4 of subsection 9 (1).
3. Net assets related to the sale of wheat under subsection 10 (1).
4. Net assets related to the fund established under section 11.

Determining annual expenses

17. (1) For the purposes of sections 15 and 16, the annual expenses of the local board shall be determined in accordance with the following rules:

1. The annual expenses for the fiscal year ending in 2011 shall be determined by adding the following values and dividing the sum by three:
 - i. The sum of the audited expenses of each of the Ontario Corn Producers' Association, the Ontario Soybean Growers and The Ontario Wheat Producers' Marketing Board for its last complete fiscal year.
 - ii. The sum of the audited expenses of each of the Ontario Corn Producers' Association, the Ontario Soybean Growers and The Ontario Wheat Producers' Marketing Board for the fiscal year immediately preceding its last complete fiscal year.
 - iii. The sum of the audited expenses of each of the Ontario Corn Producers' Association, the Ontario Soybean Growers and The Ontario Wheat Producers' Marketing Board for the fiscal year immediately preceding the fiscal year referred to in subparagraph ii.
2. The annual expenses for the fiscal year ending in 2012 shall be determined by adding the following values and dividing the sum by three:
 - i. The audited expenses of the local board for its fiscal year ending in 2011.
 - ii. The sum of the audited expenses of each of the Ontario Corn Producers' Association, the Ontario Soybean Growers and The Ontario Wheat Producers' Marketing Board for its last complete fiscal year.
 - iii. The sum of the audited expenses of each of the Ontario Corn Producers' Association, the Ontario Soybean Growers and The Ontario Wheat Producers' Marketing Board for the fiscal year immediately preceding its last complete fiscal year.
3. The annual expenses for the fiscal year ending in 2013 shall be determined by adding the following values and dividing the sum by three:
 - i. The audited expenses of the local board for its fiscal year ending in 2012.
 - ii. The audited expenses of the local board for its fiscal year ending in 2011.
 - iii. The sum of the audited expenses of each of the Ontario Corn Producers' Association, the Ontario Soybean Growers and The Ontario Wheat Producers' Marketing Board for its last complete fiscal year.
4. The annual expenses for every fiscal year ending in or after 2014 shall be determined by adding the audited expenses of the local board for each of its three fiscal years immediately preceding the fiscal year in respect of which the determination is being made, and dividing the sum by three.

(2) For the purposes of subsection (1), expenses of the local board include any expenses incurred by the local board in carrying out and enforcing the Act and the regulations with respect to grain, other than the following expenses, as set out in the local board's audited financial statements:

1. Extraordinary expenses.
2. Depreciation, amortization expenses or other fixed capital expenses.
3. Expenses incurred in providing services under paragraph 4 of subsection 9 (1).
4. Expenses incurred from the sale of wheat under subsection 10 (1).
5. Expenses incurred in relation to the fund established under section 11.

(3) Subsection (2) applies with necessary modifications with respect to the expenses of the Ontario Corn Producers' Association, the Ontario Soybean Growers and The Ontario Wheat Producers' Marketing Board.

GRAIN INDUSTRY ADVISORY COMMITTEE

Advisory committee

- 18.** (1) There shall be a Grain Industry Advisory Committee established in accordance with this section.
- (2) The Grain Industry Advisory Committee shall be composed of 13 members, appointed as follows:
1. Five members shall be appointed by the local board.
 2. Four members shall be appointed by the Grain Committee.
 3. One member shall be appointed by the Commission.
 4. One member shall be appointed by the Canadian Seed Trade Association.
 5. One member shall be appointed by the Ontario Flour Millers' Association.
 6. One member shall be appointed by the processors.
- (3) The member appointed by the Commission under paragraph 3 of subsection (2) shall be the chair of the Grain Industry Advisory Committee.
- (4) The members of the Grain Industry Advisory Committee shall be appointed after March 31 in any given year for a one year term that begins on April 15 of that year and ends on April 14 of the following year.
- (5) If a member of a Grain Industry Advisory Committee dies, resigns or is unable to act, the persons or body that appointed the member shall appoint a replacement member to fill the vacancy for the remainder of the member's term.
- (6) If any of the persons or bodies referred to in subsection (2) fails to appoint a member in accordance with that subsection or to appoint a replacement member in accordance with subsection (5), the Commission may appoint the member or replacement member.
- (7) The Grain Industry Advisory Committee has the power to advise and make recommendations to any of the persons or bodies referred to in subsection (2) in respect of,
- (a) the promotion of harmonious relationships between persons engaged in the production and marketing of grain;
 - (b) the promotion of greater efficiency in the production and marketing of grain;
 - (c) the prevention and correction of irregularities and inequities in the marketing of grain;
 - (d) the improvement of the quality and variety of grain;
 - (e) the improvement of the circulation of market information respecting grain; and
 - (f) without limiting the generality of any of clauses (a) to (e), any matter relating to grain with respect to which the Commission or the local board may be empowered to make regulations under the Act.
- (8) The Grain Industry Advisory Committee shall meet at least once a year.

NEGOTIATING AGENCY FOR SOYBEANS

Negotiating agency

- 19.** (1) A negotiating agency shall be established in accordance with this section and section 20 for the purpose of adopting an agreement between the local board, the processors of soybeans and the Grain Committee respecting,
- (a) terms, conditions and forms of agreement relating to the assembling, buying, offering to sell, processing, selling, shipping, storing or transporting of soybeans, other than prices for soybeans or for any class, variety, grade or size of soybeans; and
 - (b) any charges, costs or expenses relating to the assembling, buying, offering to sell, processing, producing, selling, shipping, storing or transporting of soybeans.

(2) The negotiating agency shall be established after January 31 and on or before March 15 in every year in which an agreement referred to in subsection (1) expires.

(3) The agreement referred to in subsection (1) shall take effect on September 1 following the appointment of the negotiating agency and shall terminate on August 31 of the year specified in the agreement.

Composition and appointment

20. (1) The negotiating agency shall be composed of the following 10 members:

1. Five members appointed by the local board.
2. Two members appointed by the processors of soybeans.
3. Three members appointed by the Grain Committee.

(2) In addition to the members referred to in subsection (1), the local board, the processors of soybeans and the Grain Committee shall also each appoint one alternate member, who may attend meetings of the negotiating agency as observers and who, in the absence of a member of the agency representing the persons or body that appointed the alternate member, shall perform the absent member's functions in his or her place.

(3) Appointments under subsection (1) or (2) shall be in writing.

(4) Notice of appointments made under subsection (1) or (2) shall be given, immediately after they are made, to the Commission by the persons or body who made the appointments, and the notice shall contain the names of the members appointed by the persons or body.

(5) The members and alternate members of the negotiating agency shall hold office until January 31 of the year following the year in which their appointment was made.

(6) If a member or alternate member of the negotiating agency dies, resigns or is unable to continue to act, the persons or body that appointed the member shall, within seven days after the vacancy occurs, appoint a replacement member or alternate member to fill the vacancy for the remainder of the member's or alternate member's term.

(7) If any of the local board, the processors of soybeans or the Grain Committee fails to appoint members, alternate members, or replacement members or alternate members in accordance with this section, the Commission shall as soon as possible make the necessary appointments.

Negotiation of agreement

21. (1) The negotiating agency shall enter into negotiations and attempt to reach an agreement between the parties respecting the matters referred to in subsection 19 (1) on or before April 30 of the year in which agency was established.

(2) The five members appointed by the local board, the two members appointed by the processors of soybeans or the three members appointed by the Grain Committee may request a meeting of the negotiating agency by giving written notice of the meeting to the other members of the agency.

(3) The notice shall state the date, time and place of the meeting, and shall be given at least seven days before the meeting date.

Arbitration

22. (1) If the negotiating agency does not reach an agreement between the parties respecting the matters referred to in subsection 19 (1) on or before April 30, it shall immediately notify the Commission in writing of the fact.

(2) If the negotiating agency decides before April 30 that it will not be possible to reach an agreement between the parties respecting the matters referred to in subsection 19 (1) on or before that date, it shall immediately notify the Commission in writing of the fact.

(3) A notice referred to in subsection (1) or (2) shall include a statement respecting the matters in dispute and the final positions of the parties with respect to each of those matters.

(4) The matters in dispute shall be subject to final offer arbitration.

(5) If the negotiating agency gives notice to the Commission under subsection (1) or (2), the agency shall, no later than seven days after the earlier of the day on which the notice was given and April 30, appoint an arbitrator to settle the matters in dispute.

(6) The negotiating agency shall only appoint as an arbitrator a person appointed as an arbitrator by the Commission under subsection 12 (10) of the *Ministry of Agriculture, Food and Rural Affairs Act*.

(7) If the negotiating agency does not appoint an arbitrator in accordance with subsections (5) and (6), the Commission shall appoint an arbitrator to settle the matters in dispute.

(8) The negotiating agency or the Commission, as the case may be, shall provide to the arbitrator a copy of the statement referred to in subsection (3).

(9) The arbitrator shall, as soon as possible after his or her appointment, meet with the negotiating agency and determine each matter in dispute by adopting one of the final positions on the matter set out in the statement referred to in subsection (3).

(10) The arbitrator shall determine all matters referred to him or her no later than August 31 of any given year.

REVOCATIONS AND COMMENCEMENT

Revocations

23. The following Regulations are revoked:

1. Regulation 431 of the Revised Regulations of Ontario, 1990.
2. Regulation 442 of the Revised Regulations of Ontario, 1990.

Commencement

24. (1) Subject to subsection (2), this Regulation comes into force on the later of January 1, 2010 and the day this Regulation is filed.

(2) Sections 13 to 17 come into force on June 1, 2010.

RÈGLEMENT DE L'ONTARIO 485/09

pris en application de la

LOI SUR LA COMMERCIALISATION DES PRODUITS AGRICOLES

pris le 15 décembre 2009
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GRAIN (MAÏS-GRAIN, SOYA ET BLÉ) — DÉLIVRANCE DE PERMIS ET RÉGLEMENTATION

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DÉFINITIONS ET CHAMP D'APPLICATION

Définitions

1. Les définitions qui suivent s'appliquent au présent règlement.

«acheteur» Quiconque achète du grain directement d'un producteur, que ce soit par l'intermédiaire d'un représentant ou autrement. («buyer»)

«animal d'élevage» S'entend notamment :

- a) du bétail, y compris la volaille et les ratites;
- b) des animaux à fourrure;
- c) des abeilles;
- d) du poisson qui provient d'une pisciculture;
- e) du chevreuil et de l'élan;
- f) du gibier et du gibier à plume. («farm animal»)

«blé» Toute variété de blé produit en Ontario. («wheat»)

«comité des céréales» Le comité de la section des céréales de l'association appelée Ontario Agri Business Association. («Grain Committee»)

«commission locale» La commission locale appelée Grain Farmers of Ontario constituée en application du Règlement de l'Ontario 484/09 (Grain (Maïs-grain, soya et blé) – Plan) pris en application de la Loi. («local board»)

«exercice» L'exercice de la commission locale. («fiscal year»)

«exploitation agricole» Exploitation agricole, aquicole, horticole ou sylvicole exploitée à des fins lucratives, notamment :

- a) l'élevage ou la production d'animaux d'élevage;
- b) la production de récoltes agricoles, y compris de récoltes en serre, de semis de pépinière, de tabac et d'arbres;
- c) la production d'oeufs, de crème et de lait. («farm operation»)

«grain» Maïs-grain, soya ou blé ou une combinaison de ceux-ci. («grain»)

«maïs-grain» Maïs, autre que le maïs de semence, le maïs sucré ou le maïs à éclater, produit en Ontario. («grain corn»)

«permis» Permis visé au paragraphe 4 (1). («licence»)

«producteur» Propriétaire unique, personne morale, société de personnes ou coentreprise qui produit du grain en Ontario. («producer»)

«soya» Soya produit en Ontario. («soybeans»)

«transformateur» Quiconque se livre à la transformation du grain en Ontario. («processor»)

«transformation» S'entend du nettoyage, du séchage, du traitement, de la rotation, du lavage, du broyage, de la torréfaction, du laminage, de la mise en poudre, du concassage, de l'éclatement, de l'écrasement, du fractionnement, de la micronisation, de la distillation ou de toute activité semblable, et notamment :

- a) de la transformation, avec ou sans autres ingrédients;
- b) de la transformation ou de la fabrication de denrées alimentaires ou de boissons provenant en tout ou en partie du grain. («processing»)

Champ d'application : exceptions

2. Le présent règlement ne s'applique pas, selon le cas :

- a) au grain qu'un producteur produit et utilise à sa propre exploitation agricole;
- b) au grain qu'un producteur produit et vend directement au propriétaire ou à l'exploitant d'une ferme, si les conditions suivantes sont réunies :

- (i) le producteur n'a pas transformé le grain avant de le vendre, à part le nettoyer, le sécher ou le retourner, ou une combinaison de ces opérations,
- (ii) le propriétaire ou l'exploitant de la ferme a l'intention d'utiliser le grain à son exploitation agricole.

DÉLIVRANCE DE PERMIS

Permis obligatoire

- 3.** (1) Nul producteur ne doit vendre ou mettre en vente du grain qu'il a produit si ce n'est en vertu d'un permis.
- (2) Le paragraphe (1) s'applique à l'égard du grain qui, selon le cas :
- a) n'est pas transformé;
 - b) est transformé par le producteur.

Producteurs réputés titulaires d'un permis

- 4.** (1) Sont réputés titulaires d'un permis les producteurs qui vendent ou mettent en vente du grain qu'ils ont produit, qu'ils l'aient ou non transformé au préalable, à moins que le permis ne soit suspendu ou révoqué.
- (2) La commission locale peut, après une audience, assortir un permis des conditions qu'elle estime appropriées.
- (3) La commission locale peut, après une audience, suspendre ou révoquer un permis si elle est d'avis que son titulaire n'a pas respecté ou a enfreint une disposition de la Loi ou des règlements applicables ou une ordonnance, un ordre ou une directive de la commission locale qui s'applique à celui-ci.

Droits de permis

- 5.** (1) Les titulaires de permis versent à la commission locale les droits de permis que fixe celle-ci en application de la disposition 2 de l'article 7.
- (2) La commission locale peut se servir des droits de permis ou d'autres sommes qu'elle reçoit pour couvrir les dépenses que celle-ci engage pour faire appliquer et exécuter la Loi et les règlements à l'égard du grain et à aucune autre fin.
- (3) Le paragraphe (2) ne s'applique pas à l'égard des dépenses suivantes qu'engage la commission locale :
- 1. Les dépenses engagées pour fournir les services prévus à la disposition 4 du paragraphe 9 (1).
 - 2. Les dépenses engagées pour effectuer la vente de blé en vertu du paragraphe 10 (1).
 - 3. Les dépenses engagées relativement au fonds créé en vertu de l'article 11.
- (4) Le paragraphe (2) ne s'applique pas à l'égard des sommes suivantes que reçoit la commission locale :
- 1. Les paiements qu'elle reçoit au titre des frais de gestion en vertu de la disposition 5 du paragraphe 9 (1).
 - 2. Les sommes qu'elle reçoit de la vente de blé effectuée en vertu du paragraphe 10 (1).
 - 3. Les sommes qu'elle reçoit relativement au fonds créé en vertu de l'article 11.

POUVOIRS DE LA COMMISSION LOCALE

Délégation de pouvoirs

- 6.** La Commission délègue les pouvoirs suivants dont elle est investie à la commission locale en vertu du paragraphe 3 (3) de la Loi :
- 1. Exiger des producteurs, des acheteurs, des transformateurs et des personnes ou organismes qui assemblent, mettent en vente, vendent, expédient, entreposent ou transportent du grain qu'ils fassent inscrire leurs nom, adresse d'affaires et adresse électronique auprès de la commission locale.
 - 2. Exiger des producteurs, des acheteurs, des transformateurs et des personnes ou organismes qui assemblent, mettent en vente, vendent, expédient, entreposent ou transportent du grain qu'ils fournissent des renseignements relatifs à leurs activités de production ou de commercialisation du grain, selon le cas, selon ce que la commission locale estime nécessaire pour lui permettre d'exercer les pouvoirs et les fonctions que lui attribuent la Loi et les règlements.
 - 3. Nommer des personnes pour examiner, à toute heure raisonnable, les livres, les dossiers et les documents et inspecter les locaux, autres que des logements, des producteurs, des acheteurs, des transformateurs ou des personnes ou organismes qui assemblent, mettent en vente, vendent, expédient, entreposent ou transportent du grain si les conditions suivantes sont réunies :
 - i. les livres, les dossiers, les documents ou les locaux se rapportent à la production ou à la commercialisation du grain,
 - ii. l'examen des livres, des dossiers ou des documents ou l'inspection des locaux est nécessaire à l'exercice des pouvoirs et fonctions qu'attribuent à la commission locale la Loi et les règlements.

4. Nommer des personnes pour inspecter, à toute heure raisonnable, le grain en la possession des producteurs, des acheteurs, des transformateurs ou des personnes ou organismes qui assemblent, mettent en vente, vendent, expédient, entreposent ou transportent du grain, si l'inspection est nécessaire à l'exercice des pouvoirs et fonctions qu'attribuent à la commission locale la Loi et les règlements.
5. Rendre les ordonnances et donner les ordres et les directives nécessaires pour faire appliquer la Loi et les règlements à l'égard du grain.

Délégation de pouvoirs de réglementation

7. La Commission délègue les pouvoirs de réglementation suivants dont elle est investie à la commission locale en vertu du paragraphe 7 (7) de la Loi :

1. Prévoir l'application, l'affectation et l'emploi de pénalités et, sous réserve du paragraphe 7 (2) de la Loi, leur montant, si, après une audience, la commission locale est d'avis qu'un titulaire de permis n'a pas respecté ou a enfreint une condition dont son permis est assorti, une disposition de la Loi ou des règlements applicables ou une ordonnance, un ordre ou une directive de la commission locale.
2. Prévoir la fixation de droits de permis et l'échéancier du paiement de ceux-ci ainsi que la perception des droits impayés, y compris leur recouvrement dans le cadre d'une instance judiciaire.
3. Exiger de quiconque reçoit du grain qu'il déduise, de l'argent payable pour le grain, tous droits relatifs au permis payables à la commission locale par la personne de laquelle il reçoit le grain, et qu'il verse ces droits à la commission locale.
4. Exiger du transformateur qui transforme du grain qu'il a produit qu'il fournisse à la commission locale des états indiquant les quantités de grain qu'il a produites et utilisées pour la transformation dans une année donnée.
5. Prévoir de soustraire, à l'application de l'un quelconque ou de l'ensemble des règlements pris par la commission locale, selon le cas :
 - i. toute catégorie, variété, qualité ou grosseur de grain,
 - ii. toute catégorie de personnes se livrant à l'assemblage, à l'achat, à la mise en vente, à la transformation, à la production, à la vente, à l'expédition, à l'entreposage ou au transport du grain ou de toute catégorie, variété, qualité ou grosseur de grain.
6. Prévoir la fixation :
 - i. de remises pour les paiements rapides de droits de permis,
 - ii. d'intérêts sur les droits de permis impayés par une personne tenue de les payer.

Autres pouvoirs

8. (1) La commission locale peut stimuler, accroître et améliorer la production ou la commercialisation du grain par les moyens qu'elle estime appropriés compte tenu de l'objet de la Loi.

(2) La commission locale peut collaborer avec les entités suivantes dans le but d'améliorer la production ou la commercialisation du grain :

1. Le gouvernement du Canada ou d'une province du Canada.
2. Une commission locale, une commission de commercialisation ou une agence de commercialisation du Canada.
3. Une organisation de producteurs de produits agricoles du Canada.

POUVOIRS SUPPLÉMENTAIRES DE LA COMMISSION LOCALE — BLÉ

Attribution de pouvoirs : blé

9. (1) Les pouvoirs suivants sont conférés à la commission locale en vertu du paragraphe 8 (1) de la Loi à l'égard du blé :
1. Diriger et régir l'assemblage, la transformation, la vente, l'entreposage ou le transport du blé que la commission locale :
 - i. soit acquiert d'un producteur, notamment par achat,
 - ii. soit vend pour le compte de producteurs en vertu du paragraphe 10 (1).
 2. Fixer la qualité de chaque catégorie, variété, qualité et grosseur de blé qu'un producteur peut vendre, mettre en vente ou transformer.
 3. Interdire aux producteurs de vendre, de mettre en vente ou de transformer toute catégorie, variété, qualité ou grosseur de blé.

4. Offrir des services aux producteurs à l'égard de la publicité, de l'assemblage, de l'achat, du nettoyage, du séchage, de la mise en vente, de la vente, de l'expédition, de l'entreposage, du retournement ou du transport du blé et fournir un ou plusieurs des services offerts à un producteur qui en fait la demande.
5. Fixer des frais de gestion pour tous les services fournis en vertu de la disposition 4 et exiger leur paiement par les producteurs qui reçoivent ces services.
6. Recouvrer, dans le cadre d'une instance judiciaire, le prix du blé qu'elle vend.
7. Acheter ou autrement acquérir les quantités de blé qu'elle estime opportunes et vendre ce blé ou en disposer d'une autre façon.
8. Payer aux producteurs à qui elle achète du blé le prix du blé, moins les frais de gestion imposés en vertu de la disposition 5.

(2) Si elle fournit des services à un producteur en vertu de la disposition 4 du paragraphe (1), la commission locale lui remet un état indiquant les détails des services fournis et les frais de gestion fixés à leur égard en vertu de la disposition 5 de ce paragraphe.

(3) Si elle vend du blé pour le compte d'un producteur en vertu de la disposition 4 du paragraphe (1), la commission locale joint, à chaque paiement effectué en vertu de la disposition 8 de ce paragraphe à l'égard du blé vendu, un état indiquant la catégorie, la variété, la qualité ou la grosseur ainsi que la quantité de blé vendu et le prix payé pour celui-ci.

(4) La commission locale peut se servir des paiements qu'elle reçoit en vertu de la disposition 5 du paragraphe (1) au titre des frais de gestion pour couvrir les dépenses qu'elle engage pour fournir des services en vertu de la disposition 4 de ce paragraphe et à aucune autre fin.

Pouvoir de mise en commun : blé

10. (1) La commission locale peut effectuer la vente de blé qu'elle regroupe en le mettant en commun selon la catégorie, la variété, la qualité ou la grosseur précisée pour le compte de producteurs qui livrent, à cette fin, du blé de cette catégorie, variété, qualité ou grosseur.

(2) La commission locale dirige la mise en commun de toutes les sommes qu'elle reçoit des ventes effectuées relativement à chaque regroupement prévu au paragraphe (1) en un seul fonds aux fins de leur distribution et, après déduction des débours et frais nécessaires et légitimes, elle distribue le reste de ces sommes de façon que chaque producteur de blé en reçoive une part établie en fonction de la quantité, de la catégorie, de la variété, de la qualité ou de la grosseur du blé qu'il a livré. Elle peut effectuer un versement initial lors de la livraison du blé et des versements subséquents jusqu'à ce que le reste des sommes provenant de la vente soit distribué aux producteurs.

Pouvoir de créer un fonds

11. (1) La commission locale peut créer un fonds dans le but d'atténuer les risques de fluctuation du cours du blé qu'elle achète ou qu'elle vend.

(2) Le fonds créé en vertu du paragraphe (1) peut servir aux fins suivantes :

- a) l'achat et la vente de contrats à terme sur le blé et d'options sur contrats à terme sur le blé;
- b) l'achat et la vente de contrats à terme de devises et d'options sur contrats à terme de devises;
- c) toute autre activité de couverture du cours du blé semblable ou connexe.

(3) Sous réserve des paragraphes (4) et (5), les frais nécessaires et légitimes se rapportant aux activités visées au paragraphe (2) sont prélevés sur le fonds.

(4) Si la commission locale exerce des activités visées au paragraphe (2) se rapportant au blé qu'elle vend pour le compte d'un producteur en vertu de la disposition 4 du paragraphe 9 (1), les frais nécessaires et légitimes se rapportant aux activités sont fixés à titre de frais de gestion que le producteur doit payer en vertu de la disposition 5 de ce même paragraphe.

(5) Si la commission locale exerce des activités visées au paragraphe (2) se rapportant à du blé vendu pour le compte de producteurs en vertu du paragraphe 10 (1), les frais nécessaires et légitimes se rapportant aux activités seront déduits des sommes provenant de la vente du blé conformément au paragraphe 10 (3).

Pouvoir de nommer des agents : blé

12. La commission locale peut, à l'égard du blé, nommer des agents, prescrire leurs fonctions et leurs conditions de nomination et prévoir leur rémunération.

LIMITES LIÉES AUX QUESTIONS FINANCIÈRES

Limite : droits

13. (1) Le total des droits de permis que fixe la commission locale en vertu de la disposition 2 de l'article 7 qui sont payables au cours d'un exercice ne doit pas dépasser les dépenses nécessaires et légitimes qu'elle engage au cours de cet exercice.

(2) Les dépenses visées au paragraphe (1) ne comprennent pas ce qui suit, selon le cas :

- a) les dépenses engagées pour fournir les services prévus à la disposition 4 du paragraphe 9 (1);
- b) les dépenses engagées pour effectuer la vente de blé en vertu du paragraphe 10 (1);
- c) les dépenses engagées relativement au fonds créé en vertu de l'article 11.

Limite : frais de gestion

14. Le total des frais de gestion que fixe la commission locale en vertu de la disposition 5 du paragraphe 9 (1) pour les services qu'elle fournit en vertu de la disposition 4 de ce paragraphe ne doit pas dépasser les dépenses nécessaires et légitimes qu'elle engage pour fournir ces services.

Limite : réserve de fonctionnement

15. La commission locale peut prévoir une réserve de fonctionnement, mais le montant de cette réserve au cours d'un exercice ne doit pas dépasser les dépenses annuelles de la commission pour cet exercice, calculées conformément à l'article 17.

Limite : actif net

16. (1) L'actif net de la commission locale au cours d'un exercice ne doit pas dépasser les dépenses annuelles de la commission pour cet exercice, calculées conformément à l'article 17.

(2) L'actif net prévu au paragraphe (1) ne comprend pas ce qui suit :

1. Les immobilisations corporelles nettes de la commission locale.
2. Les éléments se rapportant à la fourniture des services prévus à la disposition 4 du paragraphe 9 (1) par la commission locale.
3. Les éléments se rapportant à la vente de blé effectuée en vertu du paragraphe 10 (1).
4. Les éléments se rapportant au fonds créé en vertu de l'article 11.

Calcul des dépenses annuelles

17. (1) Pour l'application des articles 15 et 16, les dépenses annuelles de la commission locale sont calculées conformément aux règles suivantes :

1. Les dépenses annuelles pour l'exercice se terminant en 2011 sont calculées en additionnant les valeurs suivantes et en divisant le total obtenu par trois :
 - i. Le total des dépenses vérifiées des organisations appelées Ontario Corn Producers' Association, Ontario Soybean Growers et The Ontario Wheat Producers' Marketing Board pour le dernier exercice complet de chacune.
 - ii. Le total des dépenses vérifiées des organisations appelées Ontario Corn Producers' Association, Ontario Soybean Growers et The Ontario Wheat Producers' Marketing Board pour l'exercice précédant immédiatement le dernier exercice complet de chacune.
 - iii. Le total des dépenses vérifiées des organisations appelées Ontario Corn Producers' Association, Ontario Soybean Growers et The Ontario Wheat Producers' Marketing Board pour l'exercice précédant immédiatement l'exercice visé à la sous-disposition ii.
2. Les dépenses annuelles pour l'exercice se terminant en 2012 sont calculées en additionnant les valeurs suivantes et en divisant le total obtenu par trois :
 - i. Les dépenses vérifiées de la commission locale pour son exercice qui se termine en 2011.
 - ii. Le total des dépenses vérifiées des organisations appelées Ontario Corn Producers' Association, Ontario Soybean Growers et The Ontario Wheat Producers' Marketing Board pour le dernier exercice complet de chacune.
 - iii. Le total des dépenses vérifiées des organisations appelées Ontario Corn Producers' Association, Ontario Soybean Growers et The Ontario Wheat Producers' Marketing Board pour l'exercice précédant immédiatement le dernier exercice complet de chacune.
3. Les dépenses annuelles pour l'exercice se terminant en 2013 sont calculées en additionnant les valeurs suivantes et en divisant le total obtenu par trois :

- i. Les dépenses vérifiées de la commission locale pour son exercice qui se termine en 2012.
 - ii. Les dépenses vérifiées de la commission locale pour son exercice qui se termine en 2011.
 - iii. Le total des dépenses vérifiées des organisations appelées Ontario Corn Producers' Association, Ontario Soybean Growers et The Ontario Wheat Producers' Marketing Board pour le dernier exercice complet de chacune.
4. Les dépenses annuelles pour chaque exercice se terminant en 2014 ou par la suite sont calculées en additionnant les dépenses vérifiées de la commission locale pour chacun de ses trois exercices précédant immédiatement l'exercice à l'égard duquel le calcul est effectué et en divisant le total obtenu par trois.
- (2) Pour l'application du paragraphe (1), les dépenses de la commission locale comprennent les dépenses qu'elle engage pour faire appliquer et exécuter la Loi et les règlements à l'égard du grain, exception faite des dépenses suivantes, telles qu'elles figurent dans ses états financiers vérifiés :
1. Les dépenses extraordinaires.
 2. Les dotations aux amortissements et autres dépenses en immobilisations corporelles.
 3. Les dépenses engagées pour fournir les services prévus à la disposition 4 du paragraphe 9 (1).
 4. Les dépenses engagées pour effectuer la vente de blé en vertu du paragraphe 10 (1).
 5. Les dépenses engagées relativement au fonds créé en vertu de l'article 11.
- (3) Le paragraphe (2) s'applique avec les adaptations nécessaires à l'égard des dépenses des organisations appelées Ontario Corn Producers' Association, Ontario Soybean Growers et The Ontario Wheat Producers' Marketing Board.

COMITÉ CONSULTATIF

Comité consultatif

- 18.** (1) Est créé conformément au présent article un comité consultatif appelé Grain Industry Advisory Committee.
- (2) Le comité consultatif se compose de 13 membres nommés de la manière suivante :
1. Cinq membres sont nommés par la commission locale.
 2. Quatre membres sont nommés par le comité des céréales.
 3. Un membre est nommé par la Commission.
 4. Un membre est nommé par l'Association canadienne du commerce des semences.
 5. Un membre est nommé par l'association appelée Ontario Flour Millers' Association.
 6. Un membre est nommé par les transformateurs.
- (3) Le membre nommé par la Commission aux termes de la disposition 3 du paragraphe (2) préside le comité consultatif.
- (4) Les membres du comité consultatif sont nommés après le 31 mars d'une année donnée pour un mandat d'un an, soit du 15 avril de l'année jusqu'au 14 avril de l'année suivante.
- (5) En cas de décès, de démission ou d'empêchement d'un membre du comité consultatif, les personnes ou l'organisme qui l'ont nommé nomment un membre remplaçant pour combler la vacance jusqu'à l'expiration de son mandat.
- (6) Si les personnes ou les organismes visés au paragraphe (2) ne nomment pas de membre conformément à ce paragraphe ou ne nomment pas de membre remplaçant conformément au paragraphe (5), la Commission peut le faire.
- (7) Le comité consultatif est investi du pouvoir d'adresser des conseils et des recommandations aux personnes ou aux organismes visés au paragraphe (2) aux fins suivantes :
- a) promouvoir de bonnes relations entre les personnes qui produisent et commercialisent du grain;
 - b) favoriser une meilleure efficacité de la production et de la commercialisation du grain;
 - c) empêcher et corriger les irrégularités et les injustices dans la commercialisation du grain;
 - d) améliorer la qualité et la variété du grain;
 - e) améliorer la diffusion des renseignements relatifs au marché du grain;
 - f) sans restreindre la portée générale des alinéas a) à e), traiter de toute question se rapportant au grain à l'égard de laquelle la Commission ou la commission locale peut être investie du pouvoir de prendre des règlements en vertu de la Loi.
- (8) Le comité consultatif se réunit au moins une fois par année.

ORGANISME DE NÉGOCIATION

Organisme de négociation

19. (1) Est constitué conformément au présent article et à l'article 20 un organisme de négociation pour régler, au moyen d'un accord conclu entre la commission locale, les transformateurs de soya et le comité des céréales, les questions suivantes :

- a) les conditions et la forme des accords relatifs à l'assemblage, à l'achat, à la mise en vente, à la transformation, à la vente, à l'expédition, à l'entreposage ou au transport de soya, à l'exclusion des prix du soya ou de toute catégorie, variété, qualité ou grosseur de celui-ci;
- b) les frais, coûts ou dépenses relatifs à l'assemblage, à l'achat, à la mise en vente, à la transformation, à la production, à la vente, à l'expédition, à l'entreposage ou au transport de soya.

(2) L'organisme de négociation est constitué après le 31 janvier et au plus tard le 15 mars de chaque année au cours de laquelle l'accord visé au paragraphe (1) expire.

(3) L'accord visé au paragraphe (1) entre en vigueur le 1^{er} septembre suivant la constitution de l'organisme de négociation et prend fin le 31 août de l'année qui y est précisée.

Composition et constitution de l'organisme

20. (1) L'organisme de négociation se compose des 10 membres suivants :

1. Cinq membres nommés par la commission locale.
2. Deux membres nommés par les transformateurs de soya.
3. Trois membres nommés par le comité des céréales.

(2) Outre les membres visés au paragraphe (1), la commission locale, les transformateurs de soya et le comité des céréales nomment également chacun un membre suppléant qui peut assister aux réunions de l'organisme de négociation à titre d'observateur et qui, en l'absence d'un membre de l'organisme représentant les personnes ou l'organisme qui l'a nommé, exerce les fonctions du membre absent.

(3) Les nominations visées au paragraphe (1) ou (2) se font par écrit.

(4) Les personnes ou l'organisme qui procèdent à des nominations en application du paragraphe (1) ou (2) avisent la Commission, immédiatement après les nominations, du nom des membres qui ont été nommés.

(5) Les membres et les membres suppléants de l'organisme de négociation exercent leurs fonctions jusqu'au 31 janvier de l'année suivant celle de leur nomination.

(6) En cas de décès ou de démission d'un membre ou d'un membre suppléant de l'organisme de négociation ou d'incapacité de celui-ci de continuer à occuper sa charge, les personnes ou l'organisme qui l'a nommé nomme, au plus tard sept jours après que survient la vacance, un remplaçant pour combler la vacance jusqu'à l'expiration du mandat du membre.

(7) Si la commission locale, les transformateurs de soya ou le comité des céréales ne procèdent pas à la nomination de membres, de membres suppléants ou de remplaçants conformément au présent article, la Commission procède aux nominations nécessaires dès que possible.

Négociation d'un accord

21. (1) L'organisme de négociation entreprend des négociations et tente de parvenir à un accord entre les parties sur les questions visées au paragraphe 19 (1) au plus tard le 30 avril de l'année de sa constitution.

(2) Les cinq membres nommés par la commission locale, les deux nommés par les transformateurs de soya ou les trois nommés par le comité des céréales peuvent convoquer une réunion de l'organisme de négociation en donnant un préavis écrit à cet effet aux autres membres de l'organisme.

(3) Le préavis indique les date, heure et lieu de la réunion et est donné au moins sept jours avant la date de la réunion.

Arbitrage

22. (1) Si, au plus tard le 30 avril, l'organisme de négociation ne parvient pas à conclure un accord entre les parties à l'égard des questions visées au paragraphe 19 (1), il en avise immédiatement la Commission par écrit.

(2) S'il décide, avant le 30 avril, qu'il est impossible de parvenir à un accord entre les parties à l'égard des questions visées au paragraphe 19 (1) au plus tard à cette date, l'organisme de négociation en avise immédiatement la Commission par écrit.

(3) L'avis prévu au paragraphe (1) ou (2) contient un énoncé des questions en litige et de la position finale des parties sur chacune d'elles.

(4) Les questions en litige sont sujettes à un arbitrage des propositions finales.

(5) S'il donne un avis à la Commission en application du paragraphe (1) ou (2), l'organisme de négociation nomme un arbitre, au plus tard sept jours après le premier en date du jour où l'avis a été donné et du 30 avril, pour régler les questions en litige.

(6) L'organisme de négociation ne doit nommer à titre d'arbitre qu'une personne nommée à ce titre par la Commission en vertu du paragraphe 12 (10) de la *Loi sur le ministère de l'Agriculture, de l'Alimentation et des Affaires rurales*.

(7) Si l'organisme de négociation ne procède pas à la nomination d'un arbitre conformément aux paragraphes (5) et (6), la Commission nomme un arbitre pour régler les questions en litige.

(8) L'organisme de négociation ou la Commission, selon le cas, fournit à l'arbitre une copie de l'énoncé visé au paragraphe (3).

(9) Dès que possible après sa nomination, l'arbitre se réunit avec l'organisme de négociation et tranche chaque question en litige en adoptant une des positions finales indiquées pour chacune d'elle dans l'énoncé visé au paragraphe (3).

(10) L'arbitre tranche toutes les questions qui lui sont renvoyées au plus tard le 31 août d'une année donnée.

ABROGATIONS ET ENTRÉE EN VIGUEUR

Abrogations

23. Les règlements suivants sont abrogés :

1. Le Règlement 431 des Règlements refondus de l'Ontario de 1990.

2. Le Règlement 442 des Règlements refondus de l'Ontario de 1990.

Entrée en vigueur

24. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le dernier en date du 1^{er} janvier 2010 et du jour de son dépôt.

(2) Les articles 13 à 17 entrent en vigueur le 1^{er} juin 2010.

Made by:

Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

GERI KAMENZ
Chair

GEORGE MCCAWE
Secretary/Director

Date made: December 15, 2009.

Pris le : 15 décembre 2009.

ONTARIO REGULATION 486/09

made under the

GRAIN CORN MARKETING ACT

Made: December 9, 2009

Filed: December 16, 2009

Published on e-Laws: December 18, 2009

Printed in *The Ontario Gazette*: January 2, 2010

Revoking Reg. 539 of R.R.O. 1990

(Licence Fees)

Note: Regulation 539 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. Regulation 539 of the Revised Regulations of Ontario, 1990 is revoked.
2. This Regulation comes into force on the later of January 1, 2010 and the day this Regulation is filed.

1/10

ONTARIO REGULATION 487/09

made under the

FARM PRODUCTS PAYMENTS ACT

Made: December 9, 2009

Filed: December 16, 2009

Published on e-Laws: December 18, 2009

Printed in *The Ontario Gazette*: January 2, 2010

Amending O. Reg. 390/04

(Fund for Producers of Wheat)

Note: Ontario Regulation 390/04 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. The definition of “local board” in section 1 of Ontario Regulation 390/04 is amended by striking out “The Ontario Wheat Producers’ Marketing Board” and substituting “the Grain Farmers of Ontario”.
2. This Regulation comes into force on the later of January 1, 2010 and the day this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 487/09

pris en application de la

LOI SUR LE RECOUVREMENT DU PRIX DES PRODUITS AGRICOLES

pris le 9 décembre 2009

déposé le 16 décembre 2009

publié sur le site Lois-en-ligne le 18 décembre 2009

imprimé dans la *Gazette de l'Ontario* le 2 janvier 2010

modifiant le Règl. de l'Ont. 390/04

(Fonds des producteurs de blé)

Remarque : Le Règlement de l'Ontario 390/04 a été modifié antérieurement. Ces modifications sont indiquées dans l'Historique législatif détaillé des règlements codifiés sur le site www.lois-en-ligne.gouv.on.ca.

1. La définition de «commission locale» à l'article 1 du Règlement de l'Ontario 390/04 est modifiée par substitution de ««Grain Farmers of Ontario»» à ««The Ontario Wheat Producers’ Marketing Board»» à la fin de la définition.

2. Le présent règlement entre en vigueur le dernier en date du 1^{er} janvier 2010 et du jour de son dépôt.

1/10

ONTARIO REGULATION 488/09

made under the

FARM PRODUCTS PAYMENTS ACT

Made: December 9, 2009

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Amending Reg. 450 of R.R.O. 1990
(Fund for Producers of Soybeans)

Note: Regulation 450 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. The definition of “local board” in section 1 of Regulation 450 of the Revised Regulations of Ontario, 1990 is amended by striking out “The Ontario Soybean Growers’ Marketing Board” at the end and substituting “the Grain Farmers of Ontario”.

2. This Regulation comes into force on the later of January 1, 2010 and the day this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 488/09

pris en application de la

LOI SUR LE RECOUVREMENT DU PRIX DES PRODUITS AGRICOLES

pris le 9 décembre 2009

déposé le 16 décembre 2009

publié sur le site Lois-en-ligne le 18 décembre 2009

imprimé dans la *Gazette de l'Ontario* le 2 janvier 2010

modifiant le Règl. 450 des R.R.O. de 1990
(Fonds des producteurs de soya)

Remarque : Le Règlement 450 a été modifié antérieurement. Ces modifications sont indiquées dans l'Historique législatif détaillé des règlements codifiés sur le site www.lois-en-ligne.gouv.on.ca.

1. La définition de «commission locale» à l'article 1 du Règlement 450 des Règlements refondus de l'Ontario de 1990 est modifiée par substitution de ««Grain Farmers of Ontario»» à ««The Ontario Soybean Growers’ Marketing Board»» à la fin de la définition.

2. Le présent règlement entre en vigueur le dernier en date du 1^{er} janvier 2010 et du jour de son dépôt.

1/10

ONTARIO REGULATION 489/09

made under the

FARM PRODUCTS PAYMENTS ACT

Made: December 9, 2009

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Printed in *The Ontario Gazette*: January 2, 2010

Amending Reg. 448 of R.R.O. 1990

(Fund for Producers of Grain Corn)

Note: Regulation 448 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. (1) The definition of “Association” in section 1 of Regulation 448 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Section 1 of the Regulation is amended by adding the following definition:

“local board” means the Grain Farmers of Ontario; (“commission locale”)

2. (1) Clause 5 (2) (b) of the Regulation is amended by striking out “the Association” and substituting “the local board”.

(2) Subsection 5 (3) of the Regulation is amended by striking out “The Association” at the beginning and substituting “The local board”.

3. This Regulation comes into force on the later of January 1, 2010 and the day this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 489/09

pris en application de la

LOI SUR LE RECOUVREMENT DU PRIX DES PRODUITS AGRICOLES

pris le 9 décembre 2009

déposé le 16 décembre 2009

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modifiant le Règl. 448 des R.R.O. de 1990

(Fonds des producteurs de maïs-grain)

Remarque : Le Règlement 448 a été modifié antérieurement. Ces modifications sont indiquées dans l'Historique législatif détaillé des règlements codifiés sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) La définition de «Association» à l'article 1 du Règlement 448 des Règlements refondus de l'Ontario de 1990 est abrogée.

(2) L'article 1 du Règlement est modifié par adjonction de la définition suivante :

«commission locale» La commission appelée «Grain Farmers of Ontario». («local board»)

2. (1) L'alinéa 5 (2) b) du Règlement est modifié par substitution de «la commission locale» à «l'Association».

(2) Le paragraphe 5 (3) du Règlement est modifié par substitution de «La commission locale» à «L'Association» au début du paragraphe.

3. Le présent règlement entre en vigueur le dernier en date du 1^{er} janvier 2010 et du jour de son dépôt.

ONTARIO REGULATION 490/09
made under the
OCCUPATIONAL HEALTH AND SAFETY ACT

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GENERAL

Definitions

1. In this Regulation,
“arsenic” means,

- (a) arsenic in its elemental form,
- (b) arsenic in inorganic compounds, except arsine, and
- (c) arsenic in organic form only where both inorganic and organic compounds of arsenic are present;

“asbestos” means any of the following fibrous silicates:

1. Actinolite.
2. Amosite.
3. Anthophyllite.
4. Chrysotile.
5. Crocidolite.
6. Tremolite;

“C” or “ceiling limit” means the maximum airborne concentration of a biological or chemical agent to which a worker may be exposed at any time;

“code for measuring an airborne substance” means, with respect to acrylonitrile, arsenic, coke oven emissions, ethylene oxide or isocyanates, the Code listed in Part I of Schedule 2 that pertains to that substance;

“code for medical surveillance” means, with respect to a designated substance other than arsenic or ethylene oxide, the Code listed in Part II of Schedule 2 that pertains to that substance;

“code for respiratory equipment” means, with respect to a designated substance, the Code listed in Part III of Schedule 2 that pertains to that substance;

“coke oven emissions” means the benzene soluble fraction of total particulate matter of the substances emitted into the atmosphere from metallurgical coke ovens including condensed vapours and solid particulates;

“exposure” means exposure by inhalation, ingestion, skin absorption or skin contact;

“isocyanates” means organic isocyanates;

“joint health and safety committee” includes, in addition to a joint health and safety committee established under the Act,

- (a) a committee of like nature described in subsection 9 (4) of the Act,
- (b) an arrangement, program or system described in subsection 9 (4) of the Act in which workers or their representatives participate;

“lead” means elemental lead, inorganic compounds of lead and organic compounds of lead;

“mercury” means elemental mercury, inorganic compounds of mercury and organic compounds of mercury;

“metallurgical coke ovens” means a coke oven battery, including topside and its machinery, coke side and its machinery, pusher side and its machinery, the battery ends, the wharf and the screening station;

“Provincial Physician” means the person employed in the Ministry as the Provincial Physician;

“silica” means crystalline silica in a respirable form;

“STEL” or “short-term exposure limit” means the maximum airborne concentration of a biological or chemical agent to which a worker may be exposed in any 15-minute period;

“TWA” or “time-weighted average limit” means the time-weighted average airborne concentration of a biological or chemical agent to which a worker may be exposed in a work day or work week.

Designated substances

2. The following chemical agents are prescribed as designated substances:

1. Acrylonitrile.
2. Arsenic.
3. Asbestos.
4. Benzene.
5. Coke oven emissions.
6. Ethylene oxide.
7. Isocyanates.

8. Lead.
9. Mercury.
10. Silica.
11. Vinyl chloride.

APPLICATION

Acrylonitrile

3. (1) Subject to subsection (2), this Regulation applies, with respect to acrylonitrile, to every employer and worker at a workplace where acrylonitrile is present, produced, processed, used, handled or stored and at which a worker is likely to be exposed to acrylonitrile.

(2) With respect to acrylonitrile, this Regulation does not apply to an employer or the workers of an employer at a workplace where acrylonitrile is not produced, processed or used, if a worker's exposure to acrylonitrile results only from the presence, use, handling or storage of goods made in the last stage of a process using polymers made from acrylonitrile.

Arsenic

4. (1) Subject to subsection (2), this Regulation applies, with respect to arsenic, to every employer and worker at a workplace at which arsenic is produced, processed, used, handled or stored or is a waste product or by-product of a process and at which a worker is likely to be exposed to arsenic.

(2) With respect to arsenic, this Regulation does not apply to mining operations, including concentrating, milling, washing, crushing, grinding, sifting or conveying of a metallic or non-metallic mineral or mineral-bearing substance or rock, unless the operations are carried on,

- (a) in a plant where smelting, roasting or refining is carried on; or
- (b) in or at a place that is contiguous with a plant where smelting, roasting or refining is carried on.

Asbestos

5. (1) This Regulation applies, with respect to asbestos, to,

- (a) every employer operating a mine or mining plant for the purpose of mining, crushing, grinding or sifting asbestos and to those workers of such an employer who are likely to be exposed to asbestos;
- (b) every employer processing, adapting or using asbestos in connection with the manufacturing or assembling of goods or products and to those workers of such an employer who are likely to be exposed to asbestos;
- (c) every employer engaged in the activities set out in subsection (2), and to those workers of such an employer who are engaged in those activities and are likely to be exposed to asbestos, if,
 - (i) on or before December 16, 1985, the employer,
 - (A) put into effect and maintained measures and procedures to control the exposure of workers to asbestos, and
 - (B) incorporated the measures and procedures into an asbestos control program in accordance with the regulations, and
 - (ii) the employer has maintained the control program referred to in sub-subclause (i) (B) in accordance with the regulations.

(2) The activities mentioned in clause (1) (c) are:

1. The repair, alteration or maintenance of machinery, equipment, aircraft, ships, locomotives, railway cars and vehicles.
2. Work on a building that is necessarily incidental to the repair, alteration or maintenance of machinery or equipment.

Benzene

6. (1) Subject to subsection (2), this Regulation applies, with respect to benzene, to every employer and worker at a workplace where a worker is likely to be exposed to benzene or a product containing benzene,

- (a) during its transportation or transfer; or
- (b) during its manufacture, processing, use, handling or storage.

(2) With respect to benzene, this Regulation does not apply to the delivery of gasoline by a gasoline pump into the fuel tank of a motor vehicle, motor boat or other water craft or into a portable container at a service station or other premises.

Coke oven emissions

7. This Regulation applies, with respect to coke oven emissions, to every employer and worker who works at a metallurgical coke oven and is likely to be exposed to coke oven emissions.

Ethylene oxide

8. This Regulation applies, with respect to ethylene oxide, to every employer and worker at a workplace where ethylene oxide is present.

Isocyanates

9. This Regulation applies, with respect to isocyanates, to every employer and worker at a workplace where isocyanates are produced, used, handled or stored and at which a worker is likely to be exposed to isocyanates.

Lead

10. This Regulation applies, with respect to lead, to every employer and worker at a workplace where lead is present, produced, processed, used, handled or stored and at which a worker is likely to be exposed to lead.

Mercury

11. (1) Subject to subsection (2), this Regulation applies, with respect to mercury, to every employer and worker at a workplace where mercury is present, produced, processed, used, handled or stored and at which a worker is likely to be exposed to mercury.

(2) With respect to mercury, this Regulation does not apply to,

(a) an employer,

(i) who is engaged in the practice of dentistry, within the meaning of the *Dentistry Act, 1991*, or

(ii) who has one or more workers who engage in the practice of dentistry, within the meaning of the *Dentistry Act, 1991*;

(b) a worker who works in the office of an employer described in clause (a).

Silica

12. This Regulation applies, with respect to silica, to every employer and worker at a workplace where silica is present, produced, processed, used, handled or stored and at which a worker is likely to be exposed to silica.

Vinyl chloride

13. This Regulation applies, with respect to vinyl chloride, to every employer and worker at a workplace where vinyl chloride is present, produced, processed, used, handled or stored and at which a worker is likely to be exposed to vinyl chloride.

Exception — construction

14. Despite sections 3 to 13, this Regulation does not apply, at a project,

(a) to an employer who engages in construction; or

(b) to the workers of an employer described in clause (a) who are engaged in construction.

EMPLOYER DUTIES**Duty to third party workers**

15. (1) Subject to clause 14 (b), an employer to whom this Regulation applies with respect to a designated substance shall take every precaution reasonable in the circumstances to ensure the protection of a worker who,

(a) is not a worker of the employer; and

(b) is working in the workplace of the employer, is exposed to the designated substance and his or her health is likely to be affected by that exposure.

(2) A worker shall comply with the requirements an employer imposes for the protection of the worker in accordance with subsection (1).

Duty to limit airborne exposure

16. (1) Every employer shall take all necessary measures and procedures by means of engineering controls, work practices and hygiene facilities and practices to ensure that a worker's airborne exposure to each of the following designated substances and forms of designated substances does not exceed the TWA, STEL or C set out for the substance or form of substance in Table 1:

1. Benzene.

2. Coke oven emissions.
3. The forms of lead listed in Table 1.
4. The forms of mercury listed in Table 1.

(2) Every employer shall take all necessary measures and procedures by means of engineering controls, work practices and hygiene facilities and practices to ensure that a worker's airborne exposure to each of the following designated substances and forms of designated substances is reduced to the lowest practical level and, in any event, does not exceed the TWA, STEL or C set out for the substance or form of substance in Table 1:

1. Acrylonitrile.
2. Arsenic.
3. The forms of asbestos listed in Table 1.
4. Ethylene oxide.
5. The forms of isocyanates listed in Table 1.
6. The forms of silica listed in Table 1.
7. Vinyl chloride.

(3) Subject to section 18, an employer shall comply with this section without requiring a worker to wear and use respiratory equipment.

(4) An employer shall calculate the airborne exposure of a worker to a designated substance in accordance with Part I of Schedule 1 to this Regulation.

Duty re other isocyanates

17. (1) With respect to isocyanates other than those listed in Table 1, an employer shall,

- (a) adopt and implement all such engineering controls, work practices and hygiene practices as are reasonable and practical; and
- (b) provide a worker who handles, dispenses, mixes, applies, uses, transfers, disposes of, or deals with isocyanates and is likely to inhale isocyanates or come into contact with isocyanates, with appropriate personal protective equipment.

(2) A worker shall wear and use the personal protective equipment provided by his or her employer when working with isocyanates other than those listed in Table 1.

When respiratory equipment permitted

18. (1) An employer shall provide a worker with respiratory equipment if the employer cannot comply with the strict duty imposed by subsection 16 (1) or (2) because,

- (a) an emergency exists; or
- (b) the measures and procedures necessary to control the exposure of a worker to the airborne designated substance,
 - (i) do not exist or are not available,
 - (ii) are not reasonable or practical for the length of time or frequency of exposure or the nature of the process, operation or work, or
 - (iii) are not effective because of a temporary breakdown of equipment.

(2) A worker who is exposed to any level of an airborne designated substance may request respiratory equipment from his or her employer, and the employer shall provide respiratory equipment in response to the request.

(3) An employer who provides a worker with respiratory equipment shall ensure that the equipment,

- (a) is appropriate in the circumstances for the form and concentration of airborne designated substance in respect of which the equipment is to be used;
- (b) meets or exceeds the requirements set out in the applicable code for respiratory equipment; and
- (c) is used in accordance with the requirements of the applicable code for respiratory equipment.

(4) An employer who provides a worker with respiratory equipment shall provide training and instruction to the worker in the care and use of the equipment.

ASSESSMENT AND CONTROL PROGRAM

Assessment

- 19.** (1) An employer shall carry out an assessment of the exposure or likelihood of exposure of a worker to a designated substance in the workplace and record it in writing.
- (2) In carrying out the assessment, the employer shall consider and take into account,
- (a) in the case of acrylonitrile, benzene, ethylene oxide, isocyanates or vinyl chloride, the methods and procedures used or to be used in the production, processing, use, handling and storage of the acrylonitrile, benzene, ethylene oxide, isocyanates or vinyl chloride;
 - (b) in the case of arsenic, lead, mercury or silica, the methods and procedures used or to be used in the processing, use, handling and storage of the arsenic, lead, mercury or silica;
 - (c) in the case of asbestos, the methods and procedures used or to be used in the processing, mining, use, handling and storage of the asbestos;
 - (d) in the case of coke oven emissions, the methods and procedures used or to be used in the metallurgical coking operation;
 - (e) the extent and potential extent of a worker's exposure to the designated substance; and
 - (f) the measures and procedures that are necessary to control exposure to the designated substance by means of engineering controls, work practices and hygiene facilities and practices.
- (3) The employer shall carry out the assessment in consultation with the joint health and safety committee and the committee may make recommendations respecting the assessment.
- (4) The employer shall provide a copy of the assessment to every member of the joint health and safety committee.

Control program

- 20.** (1) Subject to section 21, if an assessment discloses or would disclose, if carried out in accordance with section 19, that a worker is likely to be exposed to a designated substance and that the health of a worker may be affected by that exposure, the employer shall,
- (a) develop, establish, put into effect and maintain measures and procedures to control the worker's exposure to the designated substance; and
 - (b) incorporate the measures and procedures described in clause (a) into a control program that satisfies the requirements of this section.
- (2) All control programs must provide for the following:
- 1. Engineering controls, work practices and hygiene facilities and practices to control the exposure of a worker to the designated substance.
 - 2. Methods and procedures to monitor,
 - i. airborne concentrations of the designated substance in the workplace, and
 - ii. worker exposure to airborne concentrations of the designated substance.
 - 3. The personal records described in subsection (6).
 - 4. A training program for supervisors and workers on the health effects of the designated substance and the measures and procedures required under the control program.
- (3) In the case of a control program respecting coke oven emissions, the control program must provide for engineering controls, work practices and hygiene facilities and practices set out in Part II of Schedule 1, in addition to those provided for under paragraph 1 of subsection (2).
- (4) In the case of a control program respecting a designated substance other than arsenic or ethylene oxide, the control program for the substance must provide for pre-employment, pre-placement and periodic medical examinations of workers that include,
- (a) a medical history that satisfies the requirements of the applicable code for medical surveillance;
 - (b) a physical examination that satisfies the requirements of the applicable code for medical surveillance; and
 - (c) clinical tests that are required by the examining physician and satisfy the requirements of the applicable code for medical surveillance.
- (5) The employer shall pay the expenses for the medical examinations and clinical tests described in subsection (4).

(6) The records mentioned in paragraph 3 of subsection (2) are:

1. Personal records, maintained by the employer, of the exposure of a worker to a designated substance at the workplace, which must include,
 - i. an identification of the worker, including the worker's date of birth,
 - ii. the worker's jobs or occupations at the workplace,
 - iii. results of monitoring the worker's exposure to airborne concentrations of the designated substance,
 - iv. the time-weighted average exposure of the worker to the designated substance, and
 - v. the use of respiratory equipment by the worker and its type.
2. Personal records, maintained by the employer, of the length of time a worker is taken to be exposed to isocyanates other than those listed in Table 1, which must include the information listed in subparagraphs 1 i, ii and v.
3. Personal records, maintained by physicians who have examined a worker under the control program, or under whose supervision clinical tests have been performed on a worker, of those medical examinations and clinical tests.

(7) An employer shall develop the measures and procedures described in clause (1) (a) and the control program respecting a designated substance in consultation with the joint health and safety committee at the workplace, and the committee may make recommendations respecting them.

(8) An employer shall,

- (a) provide a copy of the control program to every member of the joint health and safety committee;
- (b) acquaint every worker affected by the control program with its provisions; and
- (c) make a copy of the control program available to workers both in English and the majority language of the workplace.

Ethylene oxide, emergency program

21. (1) An employer is not required to develop a control program under section 20 with respect to ethylene oxide for a workplace if,

- (a) ethylene oxide is handled or stored only in closed cylinders and is not otherwise present in the workplace; and
- (b) the assessment discloses or would disclose, if carried out in accordance with section 19,
 - (i) that a worker is likely to be exposed to ethylene oxide only in the case of an accident or leak, and
 - (ii) that the health of the worker may be affected.

(2) If subsection (1) applies, the employer shall,

- (a) develop, establish, put into effect and maintain measures and procedures to protect workers in the event of an accident or leak of ethylene oxide; and
- (b) incorporate the measures and procedures described in clause (a) into an emergency program that satisfies the requirements of subsection (3).

(3) An emergency program respecting ethylene oxide shall include provisions for,

- (a) identifying, by means of easily visible warning signs, each area where an ethylene oxide cylinder is present;
- (b) an effective evacuation system;
- (c) the location and supply of respiratory equipment to be used during an emergency;
- (d) the testing and evaluation, where practical, of the atmosphere to determine the presence or absence of ethylene oxide during and following an emergency; and
- (e) a training program to familiarize supervisors and workers with the health effects of ethylene oxide and the measures and procedures to be taken in case of an emergency.

(4) The employer shall develop the measures and procedures described in clause (2) (a) and the emergency program respecting ethylene oxide in consultation with the joint health and safety committee at the workplace, and the committee may make recommendations respecting the measures and procedures or program.

(5) The employer shall,

- (a) provide a copy of the emergency program to every member of the joint health and safety committee;
- (b) acquaint every worker affected by the emergency program with its provisions; and

- (c) make a copy of the emergency program available to workers both in English and the majority language of the workplace.

Change requiring further assessment

22. (1) For the purposes of this section, a “change” means,

- (a) a change in a process involving a designated substance or in the methods and procedures in which the substance is produced, mined, processed, used, handled or stored, as the case may be; and
 (b) in the case of coke oven emissions, a change in metallurgical coking operations.

(2) If there is a change in a workplace that could result in a significant difference in the exposure of a worker to a designated substance, the employer shall promptly carry out a further assessment of the exposure or likelihood of exposure of a worker to the designated substance.

(3) Subsections 19 (2), (3) and (4) apply to a further assessment under this section.

(4) Sections 20 and 21 apply with respect to the results of a further assessment under this section.

Disputes

23. (1) An employer, a joint health and safety committee or a member of a joint health and safety committee may notify an inspector when a dispute arises between an employer and the joint health and safety committee as to,

- (a) an assessment or further assessment required under section 19 or 22;
 (b) measures and procedures mentioned in clause 20 (1) (a) or 21 (2) (a);
 (c) a control program respecting a designated substance, or any of its provisions required under section 20 or 22; or
 (d) an emergency program for ethylene oxide, or any of its provisions required under section 21 or 22.

(2) An inspector who receives a notice under subsection (1) shall investigate the dispute and shall give a decision in writing to,

- (a) the employer; and
 (b) the joint health and safety committee.

(3) Nothing in subsection (2) applies so as to affect the power of an inspector to issue an order for a contravention of this Regulation.

Measuring airborne concentrations

24. An employer shall ensure that procedures for monitoring, sampling and determining airborne concentrations of a designated substance and worker exposure to airborne concentrations of a designated substance,

- (a) in the case of acrylonitrile, arsenic, coke oven emissions, ethylene oxide or isocyanates, satisfy the requirements of the applicable code for measuring an airborne substance, subject to section 32; or
 (b) in the case of asbestos, benzene, lead, mercury, silica or vinyl chloride, are in accordance with standard methods for workplace air sampling and analysis.

Posting of monitoring results

25. Whenever results become available under a control program that relate to the monitoring of airborne concentrations of a designated substance and worker exposure to airborne concentrations of a designated substance, the employer shall,

- (a) promptly post the results in a conspicuous place or places where they are most likely to come to the attention of workers who would be affected by them and leave them posted for no less than 14 days;
 (b) provide a copy of the results to the joint health and safety committee; and
 (c) keep the results for no less than five years.

Worker's duty re control program

26. Every worker shall work in compliance with the work practices and hygiene practices in accordance with every control program respecting a designated substance that applies to the workplace.

MEDICAL EXAMINATIONS AND CLINICAL TESTS

Physician to receive records

27. (1) The employer shall provide a copy of a worker's personal exposure record to a physician who examines the worker or supervises clinical tests on a worker,

- (a) in accordance with a control program to which subsection 20 (4) applies respecting a designated substance to which the worker may be or has been exposed; or
 - (b) under section 28, where the worker has been exposed to arsenic or ethylene oxide.
- (2) If subsection (1) requires an employer to provide a physician with a copy of a worker's personal exposure record, the worker may request the physician to provide the worker or the worker's physician with a copy of,
- (a) the worker's personal exposure record;
 - (b) the results of the examination or clinical test.
- (3) In the case of a deceased worker, subsection (2) applies, with necessary modifications, to the next of kin or personal representative of the worker.
- (4) A physician who receives a request under subsection (2) or (3) shall comply with the request.

Medical examination after exposure to arsenic or ethylene oxide

28. (1) A worker who has been exposed to arsenic or ethylene oxide shall, if he or she agrees, undergo a medical examination and any clinical tests, if,

- (a) the worker or the worker's physician has reason to believe that the worker's health may be affected by the exposure and the worker or physician has so notified the employer in writing; or
 - (b) the employer has reason to believe that the worker's health may be affected by the exposure and the employer has so notified the worker in writing.
- (2) The employer shall pay the expenses of the medical examination and clinical tests.
- (3) The purpose of the medical examination and clinical tests is to determine whether the worker has an occupational illness because of the exposure to arsenic or ethylene oxide and whether the worker is fit, fit with limitations or unfit to continue working in exposure to arsenic or ethylene oxide.

Results of examinations and tests

29. (1) This section applies when a physician conducts a medical examination of a worker or supervises clinical tests of a worker,

- (a) in accordance with a control program to which subsection 20 (4) applies respecting a designated substance to which the worker may be or has been exposed; or
 - (b) under section 28, where the worker has been exposed to arsenic or ethylene oxide.
- (2) The physician who conducts the medical examination or supervises the clinical tests shall advise the worker and the worker's employer whether the worker has an occupational illness because of exposure to a designated substance and whether the worker is fit, fit with limitations or unfit to continue working in exposure to the designated substance.
- (3) In advising the worker and the worker's employer that the worker is fit with limitations or unfit to continue working in exposure to a designated substance, the physician shall,
- (a) be governed by the applicable code for medical surveillance, if any; and
 - (b) provide the advice without giving or disclosing to the employer the records or results of the examination or tests.
- (4) The worker's employer shall act in accordance with the advice provided by a physician under subsection (2).
- (5) If a worker is removed from working in exposure to a designated substance because a medical examination or clinical test discloses that the worker has or may have a condition resulting from exposure to the substance and the worker suffers a loss of earnings occasioned thereby, the worker is entitled to compensation for the loss in the manner and to the extent provided by the *Workplace Safety and Insurance Act, 1997*.
- (6) On advising the worker and the worker's employer that the worker is fit with limitations or unfit to continue working in exposure to a designated substance, the physician shall also advise the joint health and safety committee, in writing and on a confidential basis, and in giving the advice shall indicate his or her opinion as to the interpretation to be placed on the advice.
- (7) On advising the worker and the worker's employer that a worker is fit with limitations or unfit to continue working in exposure to a designated substance, the physician shall promptly communicate that advice to the Provincial Physician.

Retention: personal exposure records

30. (1) A physician who is provided with a copy of a worker's personal exposure record under clause 27 (1) (a) shall keep the copy in a secure place until the later of the following dates:

- 1. The 40th anniversary of the date the first record was created in the personal exposure record.

2. The 20th anniversary of the date the last record was added to the personal exposure record.

(2) If the physician is no longer able to keep the copy of the personal exposure record, he or she shall forward it to the Provincial Physician, who shall keep the copy until the later of the dates specified in subsection (1).

(3) If a physician is not required by subsection (1) to keep a copy of a worker's personal exposure record, the employer shall keep the record in a secure place until the later of the dates specified in subsection (1).

(4) If the employer is unable to keep the personal exposure record, the employer shall forward it to the Provincial Physician, who shall keep it until the later of the dates specified in subsection (1).

Retention: records of medical examinations

31. (1) A physician who conducted medical examinations of a worker or supervised clinical tests of a worker shall, if section 29 applies, keep the records of the examinations and tests in a secure place until the later of the following dates:

1. The 40th anniversary of the date the first record was made.
2. The 20th anniversary of the date the last record was made.

(2) If the physician is no longer able to keep the records of the medical examinations and clinical tests, he or she shall forward them to the Provincial Physician, who shall keep the records until the later of the dates specified in subsection (1).

VARIANCE FROM A CODE

Variance from a code

32. For the purposes of this Regulation, the methods and procedures that may be used or adopted may vary from the Codes issued by the Ministry if the protection afforded thereby or the factors of accuracy and precision used or adopted are equal to or exceed the protection or the factors of accuracy and precision in the Codes issued by the Ministry.

REVOCATIONS AND COMMENCEMENT

Revocations

33. The following Regulations are revoked:

1. Regulation 835 of the Revised Regulations of Ontario, 1990.
2. Regulation 836 of the Revised Regulations of Ontario, 1990.
3. Regulation 837 of the Revised Regulations of Ontario, 1990.
4. Regulation 839 of the Revised Regulations of Ontario, 1990.
5. Regulation 840 of the Revised Regulations of Ontario, 1990.
6. Regulation 841 of the Revised Regulations of Ontario, 1990.
7. Regulation 842 of the Revised Regulations of Ontario, 1990.
8. Regulation 843 of the Revised Regulations of Ontario, 1990.
9. Regulation 844 of the Revised Regulations of Ontario, 1990.
10. Regulation 845 of the Revised Regulations of Ontario, 1990.
11. Regulation 846 of the Revised Regulations of Ontario, 1990.

Commencement

34. This Regulation comes into force on the later of July 1, 2010 and the day this Regulation is filed.

TABLE 1
EXPOSURE LIMITS

Designated Substance [CAS No.]	Time-Weighted Average Limit (TWA), Short-Term Exposure Limit (STEL), Ceiling Limit (C) and Notations		
	TWA	STEL/C	Notations
Acrylonitrile [107-13-1]	2 ppm	C 10 ppm	Skin
Arsenic, elemental arsenic and inorganic compounds [7440-38-2], and organic compounds (only where both inorganic and organic compounds are present), as As.	0.01 mg/m ³	0.05 mg/m ³	
Asbestos – All forms [1332-21-4]	0.1 f/cc (a)		
Actinolite [77536-66-4]	0.1 f/cc (a)		
Amosite [12172-73-5]	0.1 f/cc (a)		
Anthophyllite [77536-67-5]	0.1 f/cc (a)		

Designated Substance [CAS No.]	Time-Weighted Average Limit (TWA), Short-Term Exposure Limit (STEL), Ceiling Limit (C) and Notations		
	TWA	STEL/C	Notations
Chrysotile [132207-32-0] Crocidolite [12001-28-4] Tremolite [77536-68-6]	0.1 f/cc (a) 0.1 f/cc (a) 0.1 f/cc (a)		
Benzene [71-43-2]	0.5 ppm	2.5 ppm	Skin
Coke Oven Emissions ¹	0.15 mg/m ³		
Ethylene oxide [75-21-8]	1 ppm 1.8 mg/m ³	10 ppm 18 mg/m ³	
Isocyanates, organic compounds Toluene diisocyanate (TDI) [584-84-9] [91-08-7] Methylene bisphenyl isocyanate (MDI) [101-68-8] Hexamethylene diisocyanate (HDI) [822-06-0] Isophorone diisocyanate (IPDI) [4098-71-9] Methylene bis (4-cyclohexylisocyanate) [5124-30-1]	0.005 ppm 0.005 ppm 0.005 ppm 0.005 ppm 0.005 ppm	C 0.02 ppm C 0.02 ppm C 0.02 ppm C 0.02 ppm C 0.02 ppm	
Lead [7439-92-1] elemental lead, inorganic and organic compounds of lead, as Pb Elemental lead, inorganic and organic compounds of lead, as Pb except tetraethyl lead [78-00-2] Tetraethyl lead, as Pb [78-00-2]	0.05 mg/m ³ 0.10 mg/m ³	0.30 mg/m ³	Skin (organic compounds)
Mercury [7439-97-6], elemental mercury, inorganic and organic compounds of mercury, as Hg All forms of except alkyl, as Hg Alkyl compounds of, as Hg	0.025 mg/m ³ 0.01 mg/m ³	0.03 mg/m ³	Skin Skin
Silica, Crystalline Quartz/Tripoli [14808-60-7; 1317-95-9] Cristobalite [14464-46-1]	0.10 mg/m ³ (R) 0.05 mg/m ³ (R)		
Vinyl chloride [75-01-04]	1 ppm		

Endnotes and Abbreviations:

¹ Means the benzene soluble fraction of total particulate matter of the substances emitted into the atmosphere from metallurgical coke ovens including condensed vapours and solid particulates.

[CAS No.] - CAS Registry Number.

f/cc - Fibres per cubic centimetre of air.

mg/m³ - Milligrams of the agent per cubic metre of air.

ppm - Parts of the agent per million parts of air by volume.

Skin - Danger of cutaneous absorption.

(R) Respirable fraction: means that size fraction of the airborne particulate deposited in the gas-exchange region of the respiratory tract and collected during air sampling with a particle size-selective device that, (a) meets the ACGIH particle size-selective sampling criteria for airborne particulate matter; and (b) has the cut point of 4 µm at 50 per cent collection efficiency.

(a) Asbestos fibres longer than 5 µm in length and less than 3 µm in width and that have a length to width ratio not less than 3:1 as viewed in a phase contrast optical microscope at 400-450 times magnification.

SCHEDULE 1

**PART I
AIRBORNE MEASUREMENT AND CALCULATION OF EXPOSURE**

1. Airborne concentrations of a designated substance are expressed as,

- (a) parts of the agent per million parts of air by volume (ppm);
- (b) milligrams of the agent per cubic metre of air (mg/m³); or
- (c) fibres per cubic centimetre of air (f/cc).

2. In determining exposure to airborne concentrations of a designated substance, no regard shall be had to the wearing or use of personal protective equipment.

3. The average concentrations of a designated substance to which a worker is exposed shall be determined from analysis of air samples taken as being representative of the exposure of the worker to the designated substance during work operations in accordance with section 24 of the Regulation.

4. The time-weighted average exposure to an airborne designated substance in a work day or work week shall be calculated as follows:

1. The cumulative daily or weekly exposure shall be calculated using the following formula:

$$C_1T_1 + C_2T_2 + \dots + C_nT_n$$

where,

C_1 is the concentration found in an air sample, and

T_1 is the total time in hours to which the worker is taken to be exposed to concentration C_1 in a work day or a work week.

2. The time-weighted average exposure shall be calculated by dividing the cumulative daily exposure by eight and the weekly exposure by 40 respectively.

5. Short-term exposures to the designated substance in any 15-minute period are determined from a single sample or from a time-weighted average of sequential samples taken during that period.

PART II COKE OVEN EMISSIONS CONTROL PROGRAM – ADDITIONAL ELEMENTS

A. ENGINEERING CONTROLS

1. Charging

1. The charging operation shall be conducted in one of the following ways:

1. Stage charging.
2. Sequential charging.
3. Pipeline charging of preheated coal.
4. Chain conveyor charging of preheated coal.

2. During the charging operation, provision shall be made for the following engineering controls:

1. Drafting from two or more points of the oven chamber by,
 - i. a double collecting main,
 - ii. a jumper pipe on the larry car or oven top, or
 - iii. a separate charging main attached to the larry car.
2. A functional steam aspiration system.
3. Adjustable volumetric controls on the larry car hoppers to provide the appropriate quantity of coal to be charged so as to ensure an adequate free space for gas evacuation.
4. Stainless steel hopper liners, mechanical vibrators or pneumatic stimulators to allow the proper flow of coal into the oven chamber.
5. Gooseneck and standpipe cleaners as is appropriate in the circumstances.
6. A leveller bar seal to the chuck door opening.
7. Carbon cutter or compressed air roof decarbonization on the pusher ram.

2. Coking

1. During the coking operation, provision shall be made for the following engineering controls:

1. Backpressure control on each battery to ensure uniform collector main pressure.
2. An adequate number of spare doors readily available and in good condition for the replacement of leaking doors when such replacement is appropriate in the circumstances.

3. Chuck door gaskets or sealing material to be used when such use is appropriate in the circumstances.

B. WORK PRACTICES

1. Charging

1. During the charging operation, provision shall be made for the following work practices:
 1. Inspection and cleaning of goosenecks and standpipes prior to each charge to provide an appropriate open area for the passage of gases from the oven to the collecting main.
 2. Inspection and, when appropriate in the circumstances, the removal of roof carbon so as to ensure an adequate free space above the coal charge to allow for the passage of gases to the off-take system.
 3. Routine inspection of the steam aspiration system.
 4. Routine inspection of the flushing liquor sprays.
 5. Cleaning and sealing of standpipe caps as is appropriate in the circumstances.
 6. Filling of the larry car hoppers with an appropriate quantity of coal.
 7. Alignment of the larry car at the oven so that the drop sleeves fit tightly over the charging holes.
 8. Charging of the coal into the oven using the proper sequence for the type of charging operation utilized.
 9. The aspiration system to be turned off only when the charging holes have been closed.

2. Coking

1. During the coking operation, provision shall be made for the following work practices:
 1. Repair, replacement or adjustment of oven doors and chuck doors, as well as maintenance of door jambs, as is appropriate in the circumstances, to provide a gas tight fit.
 2. Clean oven doors, chuck doors and door jambs between each coking cycle to provide a gas tight fit.
 3. An inspection system and a corrective action program to control door and top side emissions.

3. Pushing

1. During the pushing operation, provision shall be made for the following work practices:
 1. Coke spillage to be cleaned up after each push.
 2. Coal spillage on the bench to be collected in the bin on the pusher machine.
 3. Coal charge to be heated as uniformly as possible for the set time period before pushing.
 4. Heating maintenance to be performed to provide heating which is as uniform as possible.

4. Maintenance and Repair

1. In order to ensure adequate maintenance and repair, provision shall be made for the following work practices:
 1. Regular inspection of all engineering controls which have been installed to decrease coke oven emissions and effective implementation of all necessary repairs thereto.
 2. Regular inspection of battery function and prompt and effective implementation of necessary repairs thereto.

C. HYGIENE FACILITIES

1. Provision shall be made for the following hygiene facilities:
 1. Positive pressure, temperature controlled, filtered air for the larry car, pusher machine, door machine and quench car cabs.
 2. Positive pressure, temperature controlled, filtered air rest areas for workers.

SCHEDULE 2

PART I

CODES FOR MEASURING AIRBORNE SUBSTANCES

1. *Code for Measuring Airborne Acrylonitrile* dated October 30, 1984, and issued by the Ministry.
2. *Code for Measuring Airborne Arsenic* dated March 22, 1986, and issued by the Ministry.
3. *Code for Measuring Coke Oven Emissions* dated June 30, 1982, and issued by the Ministry.

4. *Code for Measuring Airborne Ethylene Oxide* dated February 28, 1986 and issued by the Ministry.
5. *Code for Measuring Airborne Isocyanates* dated June 17, 1983, and issued by the Ministry.

**PART II
CODES FOR MEDICAL SURVEILLANCE**

1. *Code for Medical Surveillance of Acrylonitrile Exposed Workers* dated October 30, 1984, and issued by the Ministry.
2. *Code for Medical Surveillance of Asbestos Exposed Workers* dated July 19, 1982 and issued by the Ministry.
3. *Code for Medical Surveillance of Benzene Exposed Workers* dated October 29, 1984, and issued by the Ministry.
4. *Code for Medical Surveillance of Workers Exposed to Coke Oven Emissions* dated June 30, 1982, and issued by the Ministry.
5. *Code for Medical Surveillance of Isocyanates Exposed Workers* dated June 17, 1983, and issued by the Ministry.
6. *Code for Medical Surveillance of Silica Exposed Workers* dated October 17, 1983, and issued by the Ministry.
7. *Code for Medical Surveillance for Lead* dated May 28, 1981 and issued by the Ministry.
8. *Code for Medical Surveillance for Mercury* dated November 16, 1981, and issued by the Ministry.
9. *Code for Medical Surveillance for Vinyl Chloride* dated January 11, 1982, and issued by the Ministry.

**PART III
CODE FOR RESPIRATORY EQUIPMENT**

1. *Code for Respiratory Equipment for Acrylonitrile* dated October 30, 1984, and issued by the Ministry.
2. *Code for Respiratory Equipment for Arsenic* dated March 22, 1986, and issued by the Ministry.
3. *Code for Respiratory Equipment for Asbestos* dated June 30, 2000 and issued by the Ministry.
4. *Code for Respiratory Equipment for Benzene* dated June 30, 2000 and issued by the Ministry.
5. *Code for Respiratory Equipment for Coke Oven Emissions* dated June 30, 1982, and issued by the Ministry.
6. *Code for Respiratory Equipment for Ethylene Oxide* dated February 28, 1986 and issued by the Ministry.
7. *Code for Respiratory Equipment for Isocyanates* dated June 17, 1983, and issued by the Ministry.
8. *Code for Respiratory Equipment for Lead* dated June 30, 2000, and issued by the Ministry.
9. *Code for Respiratory Equipment for Mercury* dated June 30, 2000, and issued by the Ministry.
10. *Code for Respiratory Equipment for Silica* dated June 30, 2000 and issued by the Ministry.
11. *Code for Respiratory Equipment for Vinyl Chloride* dated June 30, 2000, and issued by the Ministry.

1/10

ONTARIO REGULATION 491/09

made under the

OCCUPATIONAL HEALTH AND SAFETY ACT

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Amending Reg. 833 of R.R.O. 1990
(Control of Exposure to Biological or Chemical Agents)

Note: Regulation 833 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. Section 1 of Regulation 833 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

1. In this Regulation,

“ACGIH” means the American Conference of Governmental Industrial Hygienists;

“ACGIH Table” means the table entitled “Adopted Values” shown at pages 10 to 61 of the publication entitled *2009 Threshold Limit Values and Biological Exposure Indices* published by ACGIH and identified by International Standard Book Number 978-1-882417-95-7;

“C” or “ceiling limit” means the maximum airborne concentration of a biological or chemical agent to which a worker may be exposed at any time;

“chemical agent” includes a chemical substance;

“exposure” means exposure by inhalation, ingestion, skin absorption or skin contact;

“Ontario Table” means Table 1 to this Regulation;

“STEL” or “short-term exposure limit” means the maximum airborne concentration of a biological or chemical agent to which a worker may be exposed in any 15-minute period;

“TWA” or “time-weighted average limit” means the time-weighted average airborne concentration of a biological or chemical agent to which a worker may be exposed in a work day or work week.

2. Section 2 of the Regulation is revoked and the following substituted:

2. (1) This Regulation does not apply, at a project,

- (a) to an employer who engages in construction; or
- (b) to workers of an employer described in clause (a) who are engaged in construction.

(2) This Regulation does not apply,

- (a) to a chemical agent listed in Table 1 of Ontario Regulation 490/09 (Designated Substances) made under the Act, in a workplace that is subject to that regulation with respect to that agent; or
- (b) with respect to asbestos, in a workplace that is subject to Ontario Regulation 278/05 (Designated Substance — Asbestos on Construction Projects and in Buildings and Repair Operations) made under the Act.

3. Subsection 3 (2) of the Regulation is revoked and the following substituted:

(2) The measures to be taken shall include the provision and use of,

- (a) engineering controls;
- (b) work practices;
- (c) hygiene facilities and practices; and
- (d) if section 7.2 applies, personal protective equipment.

4. Section 4 of the Regulation is revoked and the following substituted:

4. Without limiting the generality of section 3, every employer shall take the measures required by that section to limit the exposure of workers to a hazardous biological or chemical agent in accordance with the following rules:

- 1. If the agent is listed in the Ontario Table, exposure shall not exceed the TWA, STEL, or C set out in the Ontario Table.
- 2. If the agent is not listed in the Ontario Table but is listed in the ACGIH Table, exposure shall not exceed the TWA, STEL, or C set out in the ACGIH Table.
- 3. If the Table that applies under paragraph 1 or 2 sets out a TWA for an agent but sets out neither a STEL nor a C for that agent, exposure shall not exceed the following excursion limits:
 - i. Three times the TWA for any period of 30 minutes.
 - ii. Five times the TWA at any time.
- 4. Paragraph 3 does not apply with respect to an agent that is prescribed as a designated substance under Ontario Regulation 490/09 (Designated Substances) made under the Act.

5. Sections 6 and 7 of the Regulation are revoked and the following substituted:

6. Airborne concentrations of hazardous biological or chemical agents and daily and weekly time-weighted average exposures shall be calculated in accordance with the rules set out in Schedule 1.

7. If the listing for an agent in the Ontario Table or in the ACGIH Table includes the notation “Skin” and the agent is present at the workplace, the employer shall take all measures reasonably necessary in the circumstances to protect workers from skin absorption of the agent.

7.1 If the listing for an agent in the ACGIH Table includes the reference “Simple asphyxiant” and the agent is present in the air at the workplace, the employer shall take all measures reasonably necessary in the circumstances to protect workers from,

- (a) exposure to an atmospheric oxygen level that is less than 19.5 per cent by volume; and
- (b) related hazards such as fire and explosion.

7.2 (1) An employer shall protect workers from exposure to a hazardous biological or chemical agent without requiring them to wear and use personal protective equipment, unless subsection (2) applies.

(2) The employer shall provide, and workers shall wear and use, personal protective equipment appropriate in the circumstances to protect the workers from exposure to the agent, if engineering controls required by this Regulation,

- (a) are not in existence or are not obtainable;
- (b) are not reasonable or not practical to adopt, install or provide because of the duration or frequency of the exposures or because of the nature of the process, operation or work;
- (c) are rendered ineffective because of a temporary breakdown of the controls; or
- (d) are ineffective to prevent, control or limit exposure because of an emergency.

6. Subsections 8 (1), (2) and (3) of the Regulation are revoked and the following substituted:

- (1) If a worker has been exposed to a hazardous biological or chemical agent and,
 - (a) the worker or the worker’s physician has reason to believe that the worker’s health has been affected by exposure to the agent and the worker or the worker’s physician has so notified the employer in writing; or
 - (b) the employer has reason to believe that the worker’s health is likely to be affected by the exposure and the employer has so notified the worker in writing,

the worker, if he or she agrees, shall undergo medical examinations and clinical tests, at the employer’s expense, to determine whether the worker has an occupational illness because of exposure to the agent and whether the worker is fit, fit with limitations or unfit to continue working in exposure to the agent.

7. The Regulation is amended by adding the following Table:

TABLE 1
ONTARIO TABLE OF OCCUPATIONAL EXPOSURE LIMITS

Agent [CAS No.]	Time-Weighted Average Limit (TWA), Short-Term Exposure Limit (STEL), Ceiling Limit (C) and Notations		
	TWA	STEL/C	Notations
Acetic anhydride [108-24-7]		C 5 ppm C 21 mg/m ³	
*Acrylonitrile [107-13-1]	2 ppm	C 10 ppm	Skin
Aliphatic hydrocarbon gases Alkane [C ₁ -C ₄], except Butane, All isomers Butane, All isomers [106-97-8]; [75-28-5]	1,000 ppm 800 ppm		
*Arsenic, elemental arsenic and inorganic compounds [7440-38-2], and organic compounds (only where both inorganic and organic compounds are present), as As.	0.01 mg/m ³	0.05 mg/m ³	
*Asbestos – All forms [1332-21-4] Actinolite [77536-66-4] Amosite [12172-73-5] Anthophyllite [77536-67-5] Chrysotile [132207-32-0] Crocidolite [12001-28-4] Tremolite [77536-68-6]	0.1 f/cc (a) 0.1 f/cc (a) 0.1 f/cc (a) 0.1 f/cc (a) 0.1 f/cc (a) 0.1 f/cc (a) 0.1 f/cc (a)		
Benzaldehyde [100-52-7]		4 ppm 17 mg/m ³	
*Benzene [71-43-2]	0.5 ppm	2.5 ppm	Skin
Beryllium and its compounds, as Be [7440-41-7]	0.002 mg/m ³	0.01 mg/m ³	
sec-Butanol [78-92-2]	100 ppm	150 ppm	
tert-Butanol [75-65-0]	100 ppm	150 ppm	
Calcium chloride [10043-52-4]	5 mg/m ³		
Carbon monoxide [630-08-0]	25 ppm	100 ppm	
Carbon tetrachloride [56-23-5]	2 ppm	3 ppm	Skin
Charcoal, except activated [16291-96-6]	10 mg/m ³		

Agent [CAS No.]	Time-Weighted Average Limit (TWA), Short-Term Exposure Limit (STEL), Ceiling Limit (C) and Notations		
	TWA	STEL/C	Notations
Chlordane [57-74-9]	0.5 mg/m ³	2 mg/m ³	Skin
Chlorinated diphenyl oxides [55720-99-5]	0.5 mg/m ³	2 mg/m ³	
o-Chlorobenzaldehyde [89-98-5]		4 ppm 23 mg/m ³	
Chlorobromomethane [74-97-5]	200 ppm	250 ppm	
Chlorodifluoromethane [75-45-6]	1,000 ppm	1,250 ppm	
Chlorodiphenyl (42% chlorine) [53469-21-9] Chlorodiphenyl (54% chlorine) [11097-69-1]	See listing for Polychlorinated Biphenyls (PCBs)		
Chloropicrin [76-06-2]	0.1 ppm	0.3 ppm	
o-Chlorotoluene [95-49-8]	50 ppm	75 ppm	
Clopidol [2971-90-6]	10 mg/m ³	20 mg/m ³	
N-Coco morpholine [1541-81-7]	5 ppm 52 mg/m ³		Skin
*Coke Oven Emissions ¹	0.15 mg/m ³		
Cotton dust, fabric knitting	0.5 mg/m ³		
Cotton dust, raw	0.2 mg/m ³ (G)		
Cotton dust, slashing and weaving	0.75 mg/m ³ (G)		
Cotton dust, waste	0.5 mg/m ³ (G)		
*Coumin 100 ³ Polymer Flakes (total dust) [63393-89-5]	5 mg/m ³		
Crufomate [299-86-5]	5 mg/m ³	20 mg/m ³	
Cymene (sum of o-,m-and p-isomers) [25155-15-1]	50 ppm 274 mg/m ³		Skin
Diacetone alcohol [123-42-2]	50 ppm 240 mg/m ³	75 ppm 360 mg/m ³	
Diatomaceous earth (uncalcined) [61790-53-2]	10 mg/m ³ (I)(E) 3 mg/m ³ (R)(E)		
1, 3-Dichloro-2-Propanol [96-23-1]		1 ppm 5 mg/m ³	Skin
1,2-Dichloroethylene, All isomers [540-59-0; 156-59-2; 156-60-5]	200 ppm 790 mg/m ³	250 ppm 990 mg/m ³	
Diethylene glycol monoethyl ether [111- 90-0]	30 ppm 165 mg/m ³		
Di(2-ethylhexyl)phthalate (DEHP) [117-81-7]	3 mg/m ³	5 mg/m ³	
Diisodecyl phthalate [26761-40-0]	5 mg/m ³		
3-(Dimethylamino) propylamine [109-55-7]	0.5 ppm 2 mg/m ³		Skin
N, N-Dimethyl-cyclohexylamine [98-94-2]		5 ppm 26 mg/m ³	
N, N-Dimethyl-ethanolamine [108-01-0]	3 ppm 11 mg/m ³	6 ppm 22 mg/m ³	
Dimethyl terephthalate [120-61-6]	5 mg/m ³		
Dimethyl 2,3,5,6-tetrachloroterephthalate [1861-32-1]	5 mg/m ³		
Dipropylene glycol monomethyl ether acetate [88917-22-0]	100 ppm 776 mg/m ³	150 ppm 1,164 mg/m ³	
Diquat [2764-72-9; 85-00-7; 6385-62-2]	0.5 mg/m ³ 0.1 mg/m ³ (R)		Skin
Enflurane [13838-16-9]	2 ppm 16 mg/m ³		
Ethyl-3-ethoxy propionate [763-69-9]	50 ppm 300 mg/m ³		
Ethylene dibromide [106-93-4]	(L)		Skin
Ethylene glycol dimethyl ether [110-71-4]	5 ppm 18 mg/m ³		Skin
Ethylene glycol mono-n-propyl ether [2807-30-9]	25 ppm 110 mg/m ³		Skin
Ethylene glycol mononitrate [16051-48-2]	0.05 ppm 0.22 mg/m ³		Skin
*Ethylene oxide [75-21-8]	1 ppm 1.8 mg/m ³	10 ppm 18 mg/m ³	
Ethyl methacrylate [97-63-2]	100 ppm 470 mg/m ³		

Agent [CAS No.]	Time-Weighted Average Limit (TWA), Short-Term Exposure Limit (STEL), Ceiling Limit (C) and Notations		
	TWA	STEL/C	Notations
Flour dust	See listing for Wheat Flour Dust (total dust)		
Forane [26675-46-7]	2 ppm 15 mg/m ³		
Formaldehyde [50-00-0]		STEL 1 ppm C 1.5 ppm	
Halothane [151-67-7]	2 ppm 16 mg/m ³		
Heptyl acetate [112-06-1]	50 ppm 320 mg/m ³		
Hexamethylenetetramine (HMT) [100-97-0]		0.35 ppm 2 mg/m ³	
Hexamethyl phosphoramide [680-31-9]	(L)		Skin
Hexyl acetate (isomeric mixture)[88230-35-7]	50 ppm 294 mg/m ³		
Hydrogenated terphenyls ² [61788-32-7]	0.5 ppm		
Isobutyl acetate [110-19-0]	150 ppm	187 ppm	
*Isocyanates, organic compounds Toluene diisocyanate (TDI) [584-84-9] [91-08-7] Methylene bisphenyl isocyanate (MDI) [101-68-8] Hexamethylene diisocyanate (HDI) [822-06-0] Isophorone diisocyanate (IPDI) [4098-71-9] Methylene bis (4-cyclohexylisocyanate) [5124-30-1]	0.005 ppm 0.005 ppm 0.005 ppm 0.005 ppm 0.005 ppm	C 0.02 ppm C 0.02 ppm C 0.02 ppm C 0.02 ppm C 0.02 ppm	
Isopropylaminoethanols [109-56-8] [121-93-7]		400 ppm 1,900 mg/m ³	
Isosorbide dinitrate [87-33-2]	0.2 mg/m ³		Skin
* Lead [7439-92-1] elemental lead, inorganic and organic compounds of lead, as Pb Elemental lead, inorganic and organic compounds of lead, as Pb except tetraethyl lead [78-00-2] Tetraethyl lead, as Pb [78-00-2]	0.05 mg/m ³ 0.10 mg/m ³	0.30 mg/m ³	Skin (organic compounds)
* Lead chromate [7758-97-6] as Pb (see listing for lead [7439-92-1]) as Cr	0.05 mg/m ³ 0.012 mg/m ³		
Lincomycin [154-21-2]	0.1 mg/m ³		
Lithium hydroxide Anhydrous [1310-65-2] Monohydrate [1310-66-3]		1 mg/m ³ 1 mg/m ³	
Magnesite (total dust) [546-93-0]	10 mg/m ³ (E)		
*Mercury [7439-97-6], elemental mercury, inorganic and organic compounds of mercury, as Hg All forms of except alkyl, as Hg Alkyl compounds of, as Hg	0.025 mg/m ³ 0.01 mg/m ³	0.03 mg/m ³	Skin Skin
Methoxyflurane [76-38-0]	2 ppm 13 mg/m ³		
Methyl acetylene [74-99-7]	1,000 ppm	1,250 ppm	
Methyl n-amyl ketone [110-43-0]	25 ppm 115 mg/m ³		
Methyl tert-butyl ether (MTBE) [1634-04-4]	40 ppm		
Methyl n-butyl ketone [591-78-6]	1 ppm 4 mg/m ³		Skin
4,4'-Methylene bis(2-chloroaniline) (MBOCA; MOCA®) [101-14-4]	0.0005 ppm 0.005 mg/m ³		Skin
4,4'-Methylene dianiline [101-77-9]	0.04 mg/m ³		Skin
N-Methyl-2-pyrrolidone [872-50-4]	400 mg/m ³		
Mineral Spirits	525 mg/m ³		
Morpholine [110-91-8]	20 ppm 70 mg/m ³	30 ppm 105 mg/m ³	Skin
Nepheline syenite (total dust) [37244-96-5]	10 mg/m ³		
Nickel Elemental/metal [7440-02-0]	1 mg/m ³ (I)		

Agent [CAS No.]	Time-Weighted Average Limit (TWA), Short-Term Exposure Limit (STEL), Ceiling Limit (C) and Notations		
	TWA	STEL/C	Notations
Insoluble compounds, as Ni [7440-02-0] Soluble compounds, as Ni [7440-02-0] Nickel subsulfide, as Ni [12035-72-2]	0.2 mg/m ³ (I) 0.1 mg/m ³ (I) 0.1 mg/m ³ (I)		
2-Nitropropane [79-46-9]	10 ppm 35 mg/m ³	20 ppm 70 mg/m ³	
N-Nitrosamines, including n-Nitrosodimethylamine [62-75-9]	(L)		Skin
Nitrous oxide [10024-97-2]	25 ppm 45 mg/m ³		
Ozone [10028-15-6]	0.1 ppm 0.2 mg/m ³	0.3 ppm 0.6 mg/m ³	
Paraquat [4685-14-7]	0.1 mg/m ³		
Particles (Insoluble or Poorly Soluble) Not Otherwise Specified (PNOS)	10 mg/m ³ (I) 3 mg/m ³ (R)		
Penicillin (total dust) [1406-05-9]	0.1 mg/m ³		
Pentaerythritol tetrabenzoate [4196-86-5]		2 mg/m ³	
Pentane, All isomers [78-78-4; 109-66-0; 463-82-1]	600 ppm 1,770 mg/m ³	750 ppm 2,210 mg/m ³	
Perlite	10 mg/m ³ (E)		
Petroleum coke (total dust) [64741-79-3]	3.5 mg/m ³ (b)		
2-Phenoxyethanol [122-99-6]	25 ppm 141 mg/m ³		Skin
Phosphorus oxychloride [10025-87-3]	0.1 ppm 0.6 mg/m ³	0.5 ppm 3 mg/m ³	
Picloram [1918-02-1]	10 mg/m ³	20 mg/m ³	
Picric acid [88-89-1]	0.1 mg/m ³	0.3 mg/m ³	Skin
Platinum [7440-06-4] Metal Water-soluble compounds of, including chloroplatinates (as Pt)	1 mg/m ³ 0.002 mg/m ³		
Polychlorinated biphenyls (PCBs) ²	0.05 mg/m ³		
Poultry dust (total dust)	5 mg/m ³		
Precipitated silica (total dust) [1343-98-2]	10 mg/m ³		
1,2-Propylene glycol [57-55-6]	50 ppm (V) 155 mg/m ³ (V) 10 mg/m ³ (H)(c)		
Propylene glycol monomethyl ether acetate [108-65-6]	50 ppm 270 mg/m ³		
Selenium hexafluoride [7783-79-1], as Se	0.025 ppm 0.1 mg/m ³		
Shellac dust (total dust) [9000-59-3]	10 mg/m ³		
* Silica, Crystalline Quartz/Tripoli [14808-60-7; 1317-95-9] Cristobalite [14464-46-1]	0.10 mg/m ³ (R) 0.05 mg/m ³ (R)		
Silica fume [69012-64-2]	2 mg/m ³ (R)		
Silica fused [60676-86-0]	0.1 mg/m ³ (R)		
Silica gel [112926-00-8]	10 mg/m ³		
Silicon (total dust) [7440-21-3]	10 mg/m ³		
Silicon carbide [409-21-2] Non-fibrous Fibrous (including whiskers)	10 mg/m ³ (I) (E) 3 mg/m ³ (R)(E) 0.1 f/cc (R)(F)		
Sisal dust (total dust)	2 mg/m ³		
Soap dust [68918-36-5]	5 mg/m ³		
Sodium fluoroacetate [62-74-8]	0.05 mg/m ³	0.15 mg/m ³	Skin
Spectinomycin [1695-77-8]	2 mg/m ³		
140 Degree C Flash Aliphatic Solvent, Type of Stoddard Solvent	525 mg/m ³		
Styrene - monomer [100-42-5]	35 ppm	100 ppm	
Sulfur dioxide [7446-09-5]	2 ppm 5.2 mg/m ³	5 ppm 10.4 mg/m ³	

Agent [CAS No.]	Time-Weighted Average Limit (TWA), Short-Term Exposure Limit (STEL), Ceiling Limit (C) and Notations		
	TWA	STEL/C	Notations
Synthetic Vitreous Fibres (Man Made Mineral Fibres) Continuous filament glass fibres Continuous filament glass fibres Glass wool fibres Refractory ceramic fibres Rock wool fibres Slag wool fibres Special purpose glass fibres Synthetic Vitreous Fibres, not otherwise classified (excluding fibrous glass dust and mineral wool fibre)	5 mg/m ³ (I) 1 f/cc (F) 1 f/cc (F) 0.5 f/cc (F) 1 f/cc (F) 1 f/cc (F) 1 f/cc (F) 1 f/cc (F) 1 f/cc (F)(d)		
Talc [14807-96-6], containing no asbestos	2 mg/m ³ (R)(E) 2 f/cc (K)		
Tantalum, metal and oxide (total dust) [7440-25-7]	10 mg/m ³		
Tellurium hexafluoride [7783-80-4], as Te	0.01 ppm 0.1 mg/m ³		
Tetrachlorophthalic anhydride [117-08-8]	0.1 mg/m ³		
Tetrachlorophenol [25167-83-3]	0.5 mg/m ³		Skin
Tetrasodium pyrophosphate [7722-88-5]	5 mg/m ³		
Tin [7440-31-5], as Sn Metal Oxide and inorganic compounds, as Sn, except tin hydride Organic compounds, as Sn	2 mg/m ³ 2 mg/m ³ 0.1 mg/m ³		Skin (organic compounds)
o-Tolidine [119-93-7]	(L)		Skin
Triethanolamine [102-71-6]	0.5 ppm 3.1 mg/m ³		
Triethylenediamine [280-57-9]	1 ppm 4.6 mg/m ³		Skin
Triethylenetetramine [112-24-3]	0.5 ppm 3 mg/m ³		Skin
Trimethoxyvinylsilane [2768-02-7]		10 ppm 60 mg/m ³	
2,4,6-Trinitrotoluene (TNT) [118-96-7]	0.01 ppm 0.1 mg/m ³	0.02 ppm 0.2 mg/m ³	Skin
Trixylylphosphate [25155-23-1]	0.1 mg/m ³		
Vegetable oils (mists) except mists of irritant oils such as oils of castor and cashew nut	10 mg/m ³		
*Vinyl chloride [75-01-04]	1 ppm		
Vinylidene chloride [75-35-4]	1 ppm 4 mg/m ³	20 ppm 80 mg/m ³	
Wheat flour dust (total dust)	3 mg/m ³		
Wood dust Certain hardwoods as beech and oak Softwood	1 mg/m ³ 5 mg/m ³	10 mg/m ³	

Endnotes and Abbreviations:

* Denotes a chemical agent listed in Table 1 of Ontario Regulation 490/09 (Designated Substances) made under the Act. See clause 2 (2) (a) of this Regulation.

¹ Means the benzene soluble fraction of total particulate matter of the substances emitted into the atmosphere from metallurgical coke ovens including condensed vapours and solid particulates.

² As sum of components assayed by chromatographic procedure with reference to the bulk sample.

[CAS No.] - CAS Registry Number.

f/cc - Fibres per cubic centimetre of air.

mg/m³ - Milligrams of the agent per cubic metre of air.

ppm - Parts of the agent per million parts of air by volume.

Skin - Danger of cutaneous absorption.

(E) The value is for particulate matter containing no asbestos and < 1 per cent crystalline silica.

(F) Respirable fibres: length > 5µm; aspect ratio ≥3:1, as determined by the membrane filter method at 400-450 times magnification (4-mm objective), using phase-contrast illumination.

(G) As measured by the vertical elutriator, cotton-dust sampler.

(H) Aerosol only.

(I) Inhalable fraction: means that size fraction of the airborne particulate deposited anywhere in the respiratory tract and collected during air sampling with a particle size-selective device that, (a) meets the ACGIH particle size-selective sampling criteria for airborne particulate matter; and (b) has the cut point of 100 µm at 50 per cent collection efficiency.

(K) Should not exceed 2 mg/m³ respirable particulate mass.

(L) Exposure by all routes should be carefully controlled to levels as low as possible.

(R) Respirable fraction: means that size fraction of the airborne particulate deposited in the gas-exchange region of the respiratory tract and collected during air sampling with a particle size-selective device that, (a) meets the ACGIH particle size-selective sampling criteria for airborne particulate matter; and (b) has the cut point of 4 µm at 50 per cent collection efficiency.

(V) Vapour and aerosol.

(a) Asbestos fibres longer than 5 µm in length and less than 3 µm in width and that have a length to width ratio not less than 3:1 as viewed in a phase contrast optical microscope at 400-450 times magnification.

(b) Provided that the total dust contains less than 0.7 per cent vanadium.

(c) For assessing the visibility in a work environment where 1,2-propylene glycol aerosol is present.

(d) A secondary limit of 5 mg/m³ (total dust) is recommended to deal with dusty operations where fibre counts are usually difficult to determine. Where both types of measurements are made simultaneously, the more restrictive limit should be used to assess the exposures.

8. The Schedule to the Regulation is revoked.

9. The Regulation is amended by adding the following Schedule:

SCHEDULE 1

AIRBORNE MEASUREMENT AND CALCULATION OF EXPOSURE

1. Airborne concentrations of a biological or chemical agent are expressed as,

- (a) parts of the agent per million parts of air by volume (ppm);
- (b) milligrams of the agent per cubic metre of air (mg/m³); or
- (c) fibres per cubic centimetre of air (f/cc).

2. Air sampling of the airborne concentrations of the biological or chemical agent is not required for the full period of a work day or a work week if the air sampling is representative of airborne concentrations of the agent likely to be present during the full period.

3. The method of air sampling, the number and volume of the samples and the method of analysis of the samples shall be determined,

- (a) according to the nature of the operations or processes and the characteristics of the biological or chemical agent; and
- (b) in accordance with recognized industrial hygiene practice.

4. In determining exposure to airborne concentrations of the biological or chemical agent, no regard shall be had to the wearing or use of personal protective equipment.

5. The time-weighted average exposure to an airborne biological or chemical agent in a work day or work week shall be calculated as follows:

1. The cumulative daily or weekly exposure shall be calculated using the following formula:

$$C_1T_1 + C_2T_2 + \dots + C_nT_n$$

where,

C_1 is the concentration found in an air sample, and

T_1 is the total time in hours to which the worker is taken to be exposed to concentration C_1 in a work day or a work week.

2. The time-weighted average exposure shall be calculated by dividing the cumulative daily exposure by eight and the cumulative weekly exposure by 40 respectively.

6. Short-term exposures to the biological or chemical agent in any 15-minute period are determined from a single sample or from a time-weighted average of sequential samples taken during that period.

7. For mixtures of airborne chemical agents that exert an additive health effect, if analytical results of individual airborne agents are available, the following formula shall be used, subject to section 8 of this Schedule:

$$\frac{C_1}{L_1} + \frac{C_2}{L_2} + \dots + \frac{C_n}{L_n} = E$$

where,

C_1, C_2, \dots, C_n are the concentrations of the individual agents found in the air sample,

L_1, L_2, \dots, L_n are the respective exposure limits for the agents determined in accordance with the rules set out in section 4 of the Regulation,

and the sum of these ratios, E, shall not exceed 1.

8. If the agents in a mixture of airborne chemical agents have substantially different health effects,
- i. section 7 of this Schedule does not apply, and
 - ii. exposure to each agent shall be calculated independently.

10. This Regulation comes into force on the later of July 1, 2010 and the day this Regulation is filed.

1/10

ONTARIO REGULATION 492/09

made under the

OCCUPATIONAL HEALTH AND SAFETY ACT

Made: December 9, 2009

Filed: December 16, 2009

Published on e-Laws: December 18, 2009

Printed in *The Ontario Gazette*: January 2, 2010

Amending O. Reg. 632/05
(Confined Spaces)

Note: Ontario Regulation 632/05 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. Clause (c) of the definition of “acceptable atmospheric levels” in section 1 of Ontario Regulation 632/05 is revoked and the following substituted:

- (c) the exposure to atmospheric contaminants does not exceed any applicable limit set out in Regulation 833 of the Revised Regulations of Ontario, 1990 (Control of Exposure to Biological or Chemical Agents) made under the Act or Ontario Regulation 490/09 (Designated Substances) made under the Act;

2. Table 1 of the Regulation is revoked.

3. This Regulation comes into force on the later of July 1, 2010 and the day this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 492/09

pris en application de la

LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

pris le 9 décembre 2009

déposé le 16 décembre 2009

publié sur le site Lois-en-ligne le 18 décembre 2009

imprimé dans la *Gazette de l'Ontario* le 2 janvier 2010

modifiant le Règl. de l'Ont. 632/05

(Espaces clos)

Remarque : Le Règlement de l'Ontario 632/05 a été modifié antérieurement. Ces modifications sont indiquées dans l'Historique législatif détaillé des règlements codifiés sur le site www.lois-en-ligne.gouv.on.ca.

1. L'alinéa c) de la définition de «niveaux atmosphériques acceptables» à l'article 1 du Règlement de l'Ontario 632/05 est abrogé et remplacé par ce qui suit :

- c) l'exposition aux contaminants atmosphériques ne dépasse aucune limite applicable précisée dans le Règlement 833 des Règlements refondus de l'Ontario de 1990 (Control of Exposure to Biological or Chemical Agents) pris en application de la Loi ou dans le Règlement de l'Ontario 490/09 (Designated Substances) pris en application de la Loi.

2. Le tableau 1 du Règlement est abrogé.

3. Le présent règlement entre en vigueur le dernier en date du 1^{er} juillet 2010 et du jour de son dépôt.

1/10

ONTARIO REGULATION 493/09

made under the

OCCUPATIONAL HEALTH AND SAFETY ACT

Made: December 9, 2009

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Printed in *The Ontario Gazette*: January 2, 2010

Amending O. Reg. 278/05

(Designated Substance — Asbestos on Construction Projects and in Buildings and Repair Operations)

Note: Ontario Regulation 278/05 has not previously been amended.

1. Subsection 2 (3) of Ontario Regulation 278/05 is revoked and the following substituted:

(3) This Regulation does not apply to an employer in respect of those workers who are employed by the employer and engaged in the activities described in clause (1) (e) if, pursuant to clause 5 (1) (c) of Ontario Regulation 490/09 (Designated Substances) made under the Act, that regulation applies to the employer and those workers with respect to asbestos.

2. This Regulation comes into force on the later of July 1, 2010 and the day this Regulation is filed.

1/10

ONTARIO REGULATION 494/09

made under the

OCCUPATIONAL HEALTH AND SAFETY ACT

Made: December 9, 2009

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Printed in *The Ontario Gazette*: January 2, 2010

Amending Reg. 851 of R.R.O. 1990

(Industrial Establishments)

Note: Regulation 851 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. Item 8 of the Table to section 7 of Regulation 851 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

8.	Sections 127 and 128	A process uses or produces a substance that may result in the exposure of a worker in excess of any exposure limit set out in Regulation 833 of the Revised Regulations of Ontario, 1990 (Control of Exposure to Biological or Chemical Agents), Ontario Regulation 278/05 (Designated Substance — Asbestos on Construction Projects and in Buildings and Repair Operations) or Ontario Regulation 490/09 (Designated Substances) all made under the Act.
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2. Clause (c) of the definition of “acceptable atmospheric levels” in section 119.1 of the Regulation is revoked and the following substituted:

- (c) the exposure to atmospheric contaminants does not exceed any applicable limit set out in Regulation 833 of the Revised Regulations of Ontario, 1990 (Control of Exposure to Biological or Chemical Agents) made under the Act or Ontario Regulation 490/09 (Designated Substances) made under the Act;

3. Table 1 of the Regulation is revoked.

4. This Regulation comes into force on the later of July 1, 2010 and the day this Regulation is filed.

1/10

ONTARIO REGULATION 495/09

made under the

OCCUPATIONAL HEALTH AND SAFETY ACT

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Amending O. Reg. 67/93

(Health Care and Residential Facilities)

Note: Ontario Regulation 67/93 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. Clause (c) of the definition of “acceptable atmospheric levels” in section 43 of Ontario Regulation 67/93 is revoked and the following substituted:

- (c) the exposure to atmospheric contaminants does not exceed any applicable limit set out in Regulation 833 of the Revised Regulations of Ontario, 1990 (Control of Exposure to Biological or Chemical Agents) made under the Act or Ontario Regulation 490/09 (Designated Substances) made under the Act;

2. Table 1 of the Regulation is revoked.

3. This Regulation comes into force on the later of July 1, 2010 and the day this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 495/09

pris en application de la

LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

pris le 9 décembre 2009
 déposé le 16 décembre 2009
 publié sur le site Lois-en-ligne le 18 décembre 2009
 imprimé dans la *Gazette de l'Ontario* le 2 janvier 2010

modifiant le Règl. de l'Ont. 67/93
 (Établissements d'hébergement et de soins de santé)

Remarque : Le Règlement de l'Ontario 67/93 a été modifié antérieurement. Ces modifications sont indiquées dans l'Historique législatif détaillé des règlements codifiés sur le site www.lois-en-ligne.gouv.on.ca.

1. L'alinéa c) de la définition de «niveaux atmosphériques acceptables» à l'article 43 du Règlement de l'Ontario 67/93 est abrogé et remplacé par ce qui suit :

- c) l'exposition aux contaminants atmosphériques ne dépasse aucune limite applicable précisée dans le Règlement 833 des Règlements refondus de l'Ontario de 1990 (Control of Exposure to Biological or Chemical Agents) pris en application de la Loi ou dans le Règlement de l'Ontario 490/09 (Designated Substances) pris en application de la Loi.

2. Le tableau 1 du Règlement est abrogé.

3. Le présent règlement entre en vigueur le dernier en date du 1^{er} juillet 2010 et du jour de son dépôt.

1/10

ONTARIO REGULATION 496/09

made under the

OCCUPATIONAL HEALTH AND SAFETY ACT

Made: December 9, 2009
 Filed: December 16, 2009
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 Printed in *The Ontario Gazette*: January 2, 2010

Amending Reg. 854 of R.R.O. 1990
 (Mines and Mining Plants)

Note: Regulation 854 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. Clause 183.1 (4) (a) of Regulation 854 of the Revised Regulations of Ontario, 1990 is amended by striking out “the concentration limits” and substituting “the limits”.

2. (1) Clause 252 (1) (b) of the Regulation is amended by striking out “values” at the end of the portion before subclause (i) and substituting “limits”.

(2) Subclause 252 (1) (b) (ii) of the Regulation is amended by striking out “values” and substituting “limits”.

3. (1) Clause 253 (1) (b) of the Regulation is amended by striking out “values” at the end of the portion before subclause (i) and substituting “limits”.

(2) Subclause 253 (1) (b) (ii) of the Regulation is amended by striking out “values” and substituting “limits”.

4. Clause 254 (1) (b) of the Regulation is revoked and the following substituted:

- (b) if Regulation 833 of the Revised Regulations of Ontario, 1990 (Control of Exposure to Biological or Chemical Agents) made under the Act applies, a continuous supply of fresh air shall be provided and used to dilute and remove contaminants in a raise, and in a sub-drift for any advance in excess of 10 metres from a mechanical mine ventilation system, to prevent exposure of a worker to contaminants in excess of,

- (i) the limits prescribed under section 4 of Regulation 833 of the Revised Regulations of Ontario, 1990, or
- (ii) if no limits are prescribed under section 4 of Regulation 833 of the Revised Regulations of Ontario, 1990, the limits adopted as criteria or guides under section 283 of this Regulation.

5. Section 286 of the Regulation is revoked and the following substituted:

286. (1) If Regulation 833 of the Revised Regulations of Ontario, 1990 (Control of Exposure to Biological or Chemical Agents) made under the Act applies and a local exhaust ventilation system recirculates air to the workplace, provision shall be made for a make-up air supply system having sufficient volume to keep any contaminants below,

- (a) the limits prescribed under section 4 of Regulation 833 of the Revised Regulations of Ontario, 1990; or
 - (b) if no limits are prescribed under section 4 of Regulation 833 of the Revised Regulations of Ontario, 1990, the limits adopted as criteria or guides under section 283 of this Regulation,
- (2) The contaminant level in the recirculated air shall not exceed 20 per cent of the limits described in subsection (1).

6. Clause (c) of the definition of “acceptable atmospheric levels” in section 294 of the Regulation is revoked and the following substituted:

- (c) the exposure to atmospheric contaminants does not exceed any applicable limit set out in Regulation 833 of the Revised Regulations of Ontario, 1990 (Control of Exposure to Biological or Chemical Agents) made under the Act or Ontario Regulation 490/09 (Designated Substances) made under the Act;

7. Table 1 of the Regulation is revoked.

8. This Regulation comes into force on the later of July 1, 2010 and the day this Regulation is filed.

1/10

ONTARIO REGULATION 497/09

made under the

ENVIRONMENTAL ASSESSMENT ACT

Made: December 9, 2009

Filed: December 17, 2009

Published on e-Laws: December 21, 2009

Printed in *The Ontario Gazette*: January 2, 2010

EXEMPTION — IPPERWASH PROVINCIAL PARK

Definition

1. In this Regulation,

“Ipperwash Provincial Park” means the land that, on the day this Regulation comes into force, is delimited or set aside for that provincial park under Ontario Regulation 316/07 (Designation and Classification of Provincial Parks) made under the *Provincial Parks and Conservation Reserves Act, 2006*.

Exemption, rescission of park boundaries

2. The undertaking of rescinding the boundaries of Ipperwash Provincial Park is exempt from the Act.

Exemption, transfer by ministerial order

3. The undertaking of transferring by ministerial order under section 37.1 of the *Public Lands Act* the administration and control of one or more of the following to the Crown in right of Canada for the use and benefit of the Chippewas of Kettle and Stony Point First Nation is exempt from the Act:

- 1. Ipperwash Provincial Park or any part of Ipperwash Provincial Park.
- 2. Any buildings or structures in Ipperwash Provincial Park.
- 3. The road that is adjacent to the south and east boundary of Ipperwash Provincial Park, commonly known as Matheson Drive.
- 4. Any portion of the road described in paragraph 3.

5. The part of the road that is adjacent to the west boundary of Ipperwash Provincial Park, commonly known as Army Camp Road, that extends north and east of the intersection of that road and the road commonly known as East Parkway Drive or East Ipperwash Drive to the water's edge of Lake Huron and that is approximately 21.5 metres in width.
6. Any portion of the part of the road described in paragraph 5.

Exemption, undertakings carried out during specified time period

4. (1) Subject to subsection (2), the following undertakings are exempt from the Act:

1. Any undertaking in or in respect of Ipperwash Provincial Park.
2. Any undertaking in respect of any buildings or structures in Ipperwash Provincial Park.
3. Any undertaking in respect of a road or a portion of a road described in paragraph 3, 4, 5 or 6 of section 3 if the undertaking relates directly or indirectly to the transfer described in section 3 of anything described in paragraph 1, 2, 3, 4, 5 or 6 of section 3 or to the preparation for such a transfer.

(2) Subsection (1) applies in respect of an undertaking if the undertaking is carried out on a day before the later of the following days:

1. The day that a transfer described in section 3 of anything described in paragraph 1, 2, 3, 4, 5 or 6 of section 3 is registered in the proper land registry office.
2. The day that a transfer described in section 3 of anything described in paragraph 1, 2, 3, 4, 5 or 6 of section 3 is accepted by the Crown in right of Canada under the *Federal Real Property and Federal Immovables Act*.

Commencement

5. This Regulation comes into force on the day it is filed.

1/10

ONTARIO REGULATION 498/09

made under the

ONTARIO NEW HOME WARRANTIES PLAN ACT

Made: November 26, 2009
 Filed: December 17, 2009
 Published on e-Laws: December 21, 2009
 Printed in *The Ontario Gazette*: January 2, 2010

Amending Reg. 892 of R.R.O. 1990
 (Administration of the Plan)

Note: Regulation 892 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

- 1. Section 8.1 of Regulation 892 of the Revised Regulations of Ontario, 1990 is revoked.**
- 2. (1) Subparagraph 3 (1) of Schedule A to the Regulation is revoked and the following substituted:**

Enrolment and Re-enrolment Fee		
3. (1)	The enrolment fee for every home of a type referred to in clauses (a), (b) and (c) of the definition of "home" in section 1 of the Act is as follows:	
	Sale Price of the Home	Fee
	\$100,000 or less	535
	over \$100,000 up to and including \$150,000	580
	over \$150,000 up to and including \$200,000	650
	over \$200,000 up to and including \$250,000	720
	over \$250,000 up to and including \$300,000	790
	over \$300,000 up to and including \$350,000	860
	over \$350,000 up to and including \$400,000	930
	over \$400,000 up to and including \$450,000	1,000

Enrolment and Re-enrolment Fee		
3. (1)	The enrolment fee for every home of a type referred to in clauses (a), (b) and (c) of the definition of "home" in section 1 of the Act is as follows:	
	Sale Price of the Home	Fee
	over \$450,000 up to and including \$500,000	1,070
	over \$500,000 up to and including \$550,000	1,150
	over \$550,000 up to and including \$600,000	1,200
	over \$600,000 up to and including \$650,000	1,250
	over \$650,000 up to and including \$700,000	1,300
	over \$700,000 up to and including \$750,000	1,350
	over \$750,000 up to and including \$800,000	1,400
	over \$800,000 up to and including \$850,000	1,450
	over \$850,000 up to and including \$900,000	1,500
	over \$900,000 up to and including \$950,000	1,550
	over \$950,000 up to and including \$1,000,000	1,600
	greater than \$1,000,000	1,650

(2) Paragraph 4 of Schedule A to the Regulation is revoked.

3. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Subsection 2 (1) comes into force on the later of January 1, 2010 and the day this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 498/09

pris en application de la

LOI SUR LE RÉGIME DE GARANTIES DES LOGEMENTS NEUFS DE L'ONTARIO

pris le 26 novembre 2009
déposé le 17 décembre 2009
publié sur le site Lois-en-ligne le 21 décembre 2009
imprimé dans la *Gazette de l'Ontario* le 2 janvier 2010

modifiant le Règl. 892 des R.R.O. de 1990
(Administration du Régime)

Remarque : Le Règlement 892 a été modifié antérieurement. Ces modifications sont indiquées dans l'Historique législatif détaillé des règlements codifiés sur le site www.lois-en-ligne.gouv.on.ca.

1. L'article 8.1 du Règlement 892 des Règlements refondus de l'Ontario de 1990 est abrogé.

2. (1) La sous-disposition 3 (1) de l'annexe A du Règlement est abrogée et remplacée par ce qui suit :

Droits d'enregistrement et de nouvel enregistrement		
3. (1)	Les droits d'enregistrement pour chaque logement d'un genre visé aux alinéas a), b) et c) de la définition de «logement» à l'article 1 de la Loi s'établissent comme suit :	
	Prix de vente du logement	Droits
	100 000 \$ ou moins	535
	plus de 100 000 \$, jusqu'à concurrence de 150 000 \$	580
	plus de 150 000 \$, jusqu'à concurrence de 200 000 \$	650
	plus de 200 000 \$, jusqu'à concurrence de 250 000 \$	720
	plus de 250 000 \$, jusqu'à concurrence de 300 000 \$	790
	plus de 300 000 \$, jusqu'à concurrence de 350 000 \$	860
	plus de 350 000 \$, jusqu'à concurrence de 400 000 \$	930
	plus de 400 000 \$, jusqu'à concurrence de 450 000 \$	1 000
	plus de 450 000 \$, jusqu'à concurrence de 500 000 \$	1 070
	plus de 500 000 \$, jusqu'à concurrence de 550 000 \$	1 150
	plus de 550 000 \$, jusqu'à concurrence de 600 000 \$	1 200
	plus de 600 000 \$, jusqu'à concurrence de 650 000 \$	1 250
	plus de 650 000 \$, jusqu'à concurrence de 700 000 \$	1 300
	plus de 700 000 \$, jusqu'à concurrence de 750 000 \$	1 350
	plus de 750 000 \$, jusqu'à concurrence de 800 000 \$	1 400

Droits d'enregistrement et de nouvel enregistrement		
3. (1)	Les droits d'enregistrement pour chaque logement d'un genre visé aux alinéas a), b) et c) de la définition de «logement» à l'article 1 de la Loi s'établissent comme suit :	
	Prix de vente du logement	Droits
	plus de 800 000 \$, jusqu'à concurrence de 850 000 \$	1 450
	plus de 850 000 \$, jusqu'à concurrence de 900 000 \$	1 500
	plus de 900 000 \$, jusqu'à concurrence de 950 000 \$	1 550
	plus de 950 000 \$, jusqu'à concurrence de 1 000 000 \$	1 600
	plus de 1 000 000 \$	1 650

(2) La disposition 4 de l'annexe A du Règlement est abrogée.

3. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de son dépôt.

(2) Le paragraphe 2 (1) entre en vigueur le dernier en date du 1^{er} janvier 2010 et du jour de son dépôt.

Made by:
Pris par :

TARION WARRANTY CORPORATION:

Le président,

HARRY HERSKOWITZ
Chairman

Le secrétaire de la Société,

ALEX W. MACFARLANE
Corporate Secretary

Date made by the directors: November 26, 2009.
Pris par les administrateurs le : 26 novembre 2009.

Date confirmed by the members in accordance with the *Corporations Act*: November 26, 2009.
Ratifié par les membres conformément à la *Loi sur les personnes morales* le : 26 novembre 2009.

Le secrétaire de la Société,

ALEX W. MACFARLANE
Corporate Secretary

Date certified: December 15, 2009.
Attesté le : 15 décembre 2009.

ONTARIO REGULATION 499/09
made under the
MUNICIPAL ELECTIONS ACT, 1996

Made: December 17, 2009
Filed: December 17, 2009
Published on e-Laws: December 21, 2009
Printed in *The Ontario Gazette*: January 2, 2010

Amending O. Reg. 101/97
(General)

Note: Ontario Regulation 101/97 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. (1) Paragraph 1 of section 5 of Ontario Regulation 101/97 is amended by striking out “70 cents” and substituting “85 cents”.

(2) Paragraph 2 of section 5 of the Regulation is amended by striking out “70 cents” and substituting “85 cents”.

2. Sections 7, 8, 9, 10, 11, 12, 13, 14 and 15 of the Regulation are revoked and the following substituted:

7. (1) The following forms are prescribed as the required forms for the purposes indicated:

1. Form 1: a nomination under section 33 of the Act.
2. Form 2 or 2.1: a ballot under section 41 of the Act.
3. Form 3: an appointment of a voting proxy, declaration of voting proxy, clerk’s certificate and oath of voting proxy under section 44 of the Act.
4. Form 4: a consolidated financial statement and auditor’s report under section 78 of the Act.
5. Form 5: a financial statement under section 79.1 of the Act for subsequent expenses after the return of a surplus.
6. Form 6: a notice of extension of campaign period under subsection 68 (1) of the Act.
7. Form 7: a notice of registration under section 39.1 of the Act.
8. Form 8: a financial statement and auditor’s report under section 78 of the Act, as made applicable by section 82.1 of the Act.

(2) The forms prescribed by subsection (1) are the forms dated January 2010 that are available on the website of the Government of Ontario Central Forms Repository at www.forms.ssb.gov.on.ca under the listing for the Ministry of Municipal Affairs and Housing.

3. This Regulation comes into force on January 1, 2010.

RÈGLEMENT DE L'ONTARIO 499/09
pris en application de la
LOI DE 1996 SUR LES ÉLECTIONS MUNICIPALES

pris le 17 décembre 2009
déposé le 17 décembre 2009
publié sur le site Lois-en-ligne le 21 décembre 2009
imprimé dans la *Gazette de l'Ontario* le 2 janvier 2010

modifiant le Règl. de l'Ont. 101/97
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 101/97 a été modifié antérieurement. Ces modifications sont indiquées dans l'Historique législatif détaillé des règlements codifiés sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) La disposition 1 de l'article 5 du Règlement de l'Ontario 101/97 est modifiée par substitution de «85 cents» à «70 cents».

(2) La disposition 2 de l'article 5 du Règlement est modifiée par substitution de «85 cents» à «70 cents».

2. Les articles 7, 8, 9, 10, 11, 12, 13, 14 et 15 du Règlement sont abrogés et remplacés par ce qui suit :

7. (1) Les formules suivantes sont prescrites comme étant les formules exigées aux fins indiquées ci-dessous :

1. Formule 1 : la déclaration de candidature prévue à l'article 33 de la Loi.
2. Formule 2 ou 2.1 : le bulletin de vote prévu à l'article 41 de la Loi.
3. Formule 3 : la nomination d'un mandataire, la déclaration du mandataire, le certificat du secrétaire et le serment du mandataire prévus à l'article 44 de la Loi.
4. Formule 4 : l'état financier consolidé et le rapport du vérificateur prévus à l'article 78 de la Loi.
5. Formule 5 : l'état financier prévu à l'article 79.1 de la Loi à l'égard de dépenses subséquentes engagées après la remise d'un excédent.
6. Formule 6 : l'avis de prolongation de la période de campagne électorale prévu au paragraphe 68 (1) de la Loi.
7. Formule 7 : l'avis d'inscription prévu à l'article 39.1 de la Loi.
8. Formule 8 : l'état financier et le rapport du vérificateur prévus à l'article 78 de la Loi, tel qu'il s'applique par l'effet de l'article 82.1 de la Loi.

(2) Les formules prescrites par le paragraphe (1) sont les formules datées de janvier 2010 que l'on peut se procurer sur le site Web du Répertoire central des formulaires du gouvernement de l'Ontario au www.forms.ssb.gov.on.ca, sous la rubrique du ministère des Affaires municipales et du Logement.

3. Le présent règlement entre en vigueur le 1^{er} janvier 2010.

Made by:
Pris par :

Le ministre des Affaires municipales et du Logement,

JIM WATSON
Minister of Municipal Affairs and Housing

Date made: December 17, 2009.
Pris le : 17 décembre 2009.

1/10

ONTARIO REGULATION 500/09

made under the

MUNICIPAL ELECTIONS ACT, 1996

Made: December 17, 2009
Filed: December 17, 2009
Published on e-Laws: December 21, 2009
Printed in *The Ontario Gazette*: January 2, 2010

VOTER IDENTIFICATION

Proof of identity and residence

1. Each of the following options is prescribed as the proof of identify and residence that a person may present for the purposes of subparagraph 52 (1) 1 ii of the Act:

1. Option 1: An original copy of a document listed in Schedule 1 to this Regulation, if the document shows the person's name, qualifying address and signature.

2. Option 2: An original copy of a document listed in Schedule 2, if the document shows the person's name and signature, presented together with an original copy of a document listed in Schedule 3, if the document shows the person's name and qualifying address.

Commencement

2. This Regulation comes into force on January 1, 2010.

SCHEDULE 1
(DOCUMENTS THAT SHOW NAME, QUALIFYING ADDRESS AND SIGNATURE)

1. An Ontario driver's licence.
2. An Ontario Health Card (photo card).
3. An Ontario motor vehicle permit (plate portion).
4. A cancelled personalized cheque.
5. A mortgage, lease or rental agreement.
6. An insurance policy.
7. A loan or financial agreement with a financial institution.
8. A document issued or certified by a court in Ontario.
9. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
10. Any document from a Band Council in Ontario established under the *Indian Act* (Canada).

SCHEDULE 2
(DOCUMENTS THAT SHOW NAME AND SIGNATURE)

1. An Ontario driver's licence.
2. An Ontario Health Card.
3. An Ontario motor vehicle permit (plate portion).
4. A Canadian passport.
5. A Certificate of Canadian Citizenship.
6. A Certificate of Indian Status.
7. A Veterans Affairs Canada Health Card.
8. A social insurance number card.
9. An Old Age Security Card.
10. A credit card.
11. A debit card.
12. An employee identification card.
13. A student identification card issued by a post-secondary institution.
14. A union identification card or a professional licence card.
15. A cancelled personalized cheque.
16. A mortgage, lease or rental agreement for property in Ontario.
17. An insurance policy.
18. A document issued or certified by a court in Ontario.
19. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
20. Any document from a Band Council in Ontario established under the *Indian Act* (Canada).

SCHEDULE 3
(DOCUMENTS THAT SHOW NAME AND QUALIFYING ADDRESS)

1. An Ontario motor vehicle permit (vehicle portion).
2. An income tax assessment notice.
3. A Child Tax Benefit Statement.
4. A Statement of Employment Insurance Benefits Paid T4E.
5. A Statement of Old Age Security T4A (OAS).
6. A Statement of Canada Pension Plan Benefits T4A (P).
7. A Canada Pension Plan Statement of Contributions.
8. A Statement of Direct Deposit for Ontario Works.
9. A Statement of Direct Deposit for Ontario Disability Support Program.
10. A Workplace Safety and Insurance Board Statement of Benefits T5007.
11. A property tax assessment.
12. An insurance statement.
13. A mortgage, lease or rental statement for property in Ontario.
14. A credit card, bank account, RRSP, RRIF, RHOSP or T5 statement.
15. A CNIB Card or a card from another registered charitable organization which provides services to persons with disabilities.
16. A hospital card or record.
17. A document showing campus residence issued by the office or officials responsible for student residence at a post-secondary institution.
18. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission.
19. A cheque stub, T4 statement or pay receipt issued by an employer.
20. A transcript or report card from a post-secondary school.
21. A document issued or certified by a court in Ontario.
22. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
23. Any document from a Band Council in Ontario established under the *Indian Act* (Canada).

RÈGLEMENT DE L'ONTARIO 500/09

pris en application de la

LOI DE 1996 SUR LES ÉLECTIONS MUNICIPALES

pris le 17 décembre 2009

déposé le 17 décembre 2009

publié sur le site Lois-en-ligne le 21 décembre 2009
imprimé dans la *Gazette de l'Ontario* le 2 janvier 2010

IDENTIFICATION DES ÉLECTEURS

Preuve d'identité et de résidence

1. Les options suivantes sont prescrites comme preuves d'identité et de résidence qu'une personne peut fournir pour l'application de la sous-disposition 52 (1) 1 ii de la Loi :

1. Option 1 : L'original d'un des documents énumérés à l'annexe 1 du présent règlement, s'il porte le nom, l'adresse habilitante et la signature de la personne.

2. Option 2 : L'original d'un des documents énumérés à l'annexe 2, s'il porte le nom et la signature de la personne, accompagné de l'original d'un des documents énumérés à l'annexe 3, s'il porte son nom et son adresse habitante.

Entrée en vigueur

2. Le présent règlement entre en vigueur le 1^{er} janvier 2010.

ANNEXE 1
(DOCUMENTS PORTANT LE NOM, L'ADRESSE HABILITANTE ET LA SIGNATURE)

1. Permis de conduire de l'Ontario.
2. Carte Santé de l'Ontario (avec photo).
3. Certificat d'immatriculation de véhicule automobile de l'Ontario (portion relative à la plaque).
4. Chèque personnalisé annulé.
5. Contrat hypothécaire, de bail ou de location.
6. Police d'assurance.
7. Contrat de prêt ou accord financier avec une institution financière.
8. Document délivré ou certifié par un tribunal de l'Ontario.
9. Tout autre document émanant du gouvernement du Canada ou de l'Ontario ou encore d'une municipalité de l'Ontario ou d'un de leurs organismes.
10. Tout document émanant d'un conseil de bande de l'Ontario constitué en vertu de la *Loi sur les Indiens* (Canada).

ANNEXE 2
(DOCUMENTS PORTANT LE NOM ET LA SIGNATURE)

1. Permis de conduire de l'Ontario.
2. Carte Santé de l'Ontario.
3. Certificat d'immatriculation de véhicule automobile de l'Ontario (portion relative à la plaque).
4. Passeport canadien.
5. Certificat de citoyenneté canadienne.
6. Certificat du statut d'Indien.
7. Carte d'identité de soins de santé d'Anciens Combattants Canada.
8. Carte d'assurance sociale.
9. Carte d'identité de la Sécurité de la vieillesse.
10. Carte de crédit.
11. Carte de débit.
12. Carte d'identité d'employé.
13. Carte d'identité d'étudiant délivrée par un établissement postsecondaire.
14. Carte d'identité délivrée par un syndicat ou par un organisme de réglementation professionnelle.
15. Chèque personnalisé annulé.
16. Contrat hypothécaire, de bail ou de location pour un bien situé en Ontario.
17. Police d'assurance.
18. Document délivré ou certifié par un tribunal de l'Ontario.
19. Tout autre document émanant du gouvernement du Canada ou de l'Ontario ou encore d'une municipalité de l'Ontario ou d'un de leurs organismes.
20. Tout document émanant d'un conseil de bande de l'Ontario constitué en vertu de la *Loi sur les Indiens* (Canada).

ANNEXE 3
(DOCUMENTS PORTANT LE NOM ET L'ADRESSE HABITANTE)

1. Certificat d'immatriculation de véhicule automobile de l'Ontario (portion relative à la plaque).
2. Avis de cotisation de l'impôt sur le revenu.
3. Relevé de Prestation fiscale pour enfants.
4. État des prestations d'assurance-emploi versées — T4E.
5. Relevé de la Sécurité de la vieillesse — T4A (OAS).
6. État des prestations du Régime de pensions du Canada — T4A (P).
7. État de compte du cotisant au Régime de pensions du Canada.
8. Relevé de virement automatique pour le programme Ontario au travail.
9. Relevé de virement automatique pour le Programme ontarien de soutien aux personnes handicapées.
10. État des prestations de la Commission de la sécurité professionnelle et de l'assurance contre les accidents du travail — T5007.
11. Avis d'évaluation foncière.
12. Relevé d'assurance.
13. Contrat hypothécaire, de bail ou de location pour un bien situé en Ontario.
14. Relevé de carte de crédit, de compte bancaire, de REER, de FERR ou de REEL, ou feuillet T5.
15. Carte de l'INCA ou carte d'un autre organisme de bienfaisance enregistré qui fournit des services aux personnes handicapées.
16. Carte ou dossier d'hôpital.
17. Attestation de résidence sur le campus, délivrée par le bureau ou les responsables des résidences d'étudiants d'un établissement postsecondaire.
18. Facture d'un service public (électricité, eau, gaz, téléphone, câblodistribution ou commission des services publics).
19. Talon de chèque, feuillet T4 ou relevé de paie délivré par un employeur.
20. Relevé de notes délivré par un établissement postsecondaire.
21. Document délivré ou certifié par un tribunal de l'Ontario.
22. Tout autre document émanant du gouvernement du Canada ou de l'Ontario ou encore d'une municipalité de l'Ontario ou d'un de leurs organismes.
23. Tout document émanant d'un conseil de bande de l'Ontario constitué en vertu de la *Loi sur les Indiens* (Canada).

Made by:
Pris par :

Le ministre des Affaires municipales et du Logement,

JIM WATSON
Minister of Municipal Affairs and Housing

Date made: December 17, 2009.
Pris le : 17 décembre 2009.

ONTARIO REGULATION 501/09

made under the

BARRIE-INNISFIL BOUNDARY ADJUSTMENT ACT, 2009

Made: December 15, 2009

Filed: December 17, 2009

Published on e-Laws: December 21, 2009

Printed in *The Ontario Gazette*: January 2, 2010**WARD DESCRIPTIONS AND BOUNDARY ADJUSTMENT****Change in description of annexed area**

1. (1) On January 1, 2010, the description of the portion of the Town of Innisfil that is annexed to the City of Barrie under subsection 2 (1) of the Act is changed as described in subsection (2).

(2) For the purposes of subsection (1), Schedule 1 to the Act is deemed to be amended by striking out,

Thence westerly along the northerly limit of the south half of Lots 5, 4, 3, 2 and 1 in Concession XI to the centre line of County Road 27 also being the westerly boundary of the Town of Innisfil;

Thence southerly along the centre line of County Road 27 and the westerly boundary of the Town of Innisfil to the point of commencement;

and substituting,

Thence westerly along the northerly limit of the south half of Lots 5, 4, 3, 2 and 1 in Concession XI to the westerly boundary, as it existed on December 31, 2009, of the Town of Innisfil;

Thence southerly along the westerly boundary of the Town of Innisfil to the point of commencement.

Change in certain wards

2. On January 1, 2010, Wards 7, 8, 9 and 10 of the City of Barrie are altered as follows:

1. Ward 7 consists of the area described in Schedule 1 to this Regulation.

2. Ward 8 consists of the area described in Schedule 2 to this Regulation.

3. Ward 9 consists of the area described in Schedule 3 to this Regulation.

4. Ward 10 consists of the area described in Schedule 4 to this Regulation.

Commencement

3. **This Regulation comes into force on the day it is filed.**

SCHEDULE 1
WARD 7 OF THE CITY OF BARRIE

Ward 7 consists of the area of the City of Barrie contained within the following limits:

Commencing at the intersection of the half lot line of Concession IX and Highway 400 proceeding west on Concession IX to the westerly boundary, as it existed on December 31, 2009, of the Town of Innisfil, proceeding north along the centre line of the original road allowance to the south limit of Harvie Road, proceeding east on Harvie Road being the original road allowance between Concessions XII and XIII to the most north westerly point of Block 209, Plan 51M-669, proceeding south along the westerly lot lines of Blocks 209, 208 and 211 on Plan 51M-669, proceeding north easterly along the most easterly lot line of Block 211 to the north westerly corner of Lot 199 on Plan 51M-669, proceeding north easterly across Harvie Road to the south westerly corner of Lot 69 on Plan 51M-799, proceeding north along the northerly lot line of Lot 69 to the northerly limit of Lot 69, proceeding south along the northerly lot lines of the Lot 69, Blocks 127, 128, 129 and Part 11, 12, 14 on Plan 51M-799, to the south limit of Harvie Road, proceeding east on the southerly limit of Harvie Road to the westerly limit of Highway 400, proceeding south on Highway 400 to the point of commencement.

SCHEDULE 2
WARD 8 OF THE CITY OF BARRIE

Ward 8 consists of the area of the City of Barrie contained within the following limits:

Commencing at the intersection of Sideroad 10 and the half lot line of Concession IX, proceeding west on the half lot line of Concession IX to the east limit of Highway 400, proceeding north on the easterly limit of Highway 400 to the southerly limit of Essa Road, proceeding north east on Essa Road to the southerly limit of Tiffin Street, proceeding easterly on Tiffin Street to the shoreline of Kempenfelt Bay, proceeding easterly along the shoreline to the unopened portion of Huronia Road, proceeding southerly on the westerly limit of Huronia Road, to the south limit of Mapleview Drive East, proceeding east on Mapleview Drive East to the lot line between Lots 12 and 13 in Concession XI proceeding south along the lot line between Lots 12 and 13 in Concession XI to the north limit of Lockhart Road, proceeding west on the north limit of Lockhart Road to the westerly limit of Sideroad 10, proceeding south on the westerly limit of Sideroad 10 to the point of commencement.

SCHEDULE 3
WARD 9 OF THE CITY OF BARRIE

Ward 9 consists of the area of the City of Barrie contained within the following limits:

Commencing at the intersection of the north west corner of the GO Transit rail line and Lockhart Road, proceeding westerly on the north limit of Lockhart Road to the lot line between Lots 12 and 13 in Concession XI proceeding north along the lot line between Lots 12 and 13 to the north limit of Mapleview Drive East, proceeding west on the northerly limit of Mapleview Drive East to the east limit of Huronia Road, proceeding north on the easterly limit of Huronia Road to the GO Transit rail line, proceeding south easterly along the south westerly limit of the rail line to the point of commencement.

SCHEDULE 4
WARD 10 OF THE CITY OF BARRIE

Ward 10 consists of the area of the City of Barrie contained within the following limits:

Commencing at the intersection of the north west corner of Sideroad 20 and the south limit of Concession XI being the north limit of Lockhart Road proceeding west on the north limit of Lockhart Road to the easterly limit of the GO Transit rail line, following the easterly limit of the rail line to the unopened portion of Huronia Road, proceeding north on the easterly limit of the unopened portion of Huronia Road to the shoreline of Kempenfelt Bay proceeding east along the shoreline of Kempenfelt Bay to the easterly boundary of the City limits, proceeding south along the City limits to Big Bay Point Road, proceeding east on the southerly limit of Big Bay Point Road to the westerly limit of Sideroad 20, proceeding southerly on Sideroad 20 to the point of commencement.

RÈGLEMENT DE L'ONTARIO 501/09

pris en application de la

**LOI DE 2009 SUR LA MODIFICATION DES LIMITES TERRITORIALES ENTRE BARRIE ET
INNISFIL**

pris le 15 décembre 2009
déposé le 17 décembre 2009
publié sur le site Lois-en-ligne le 21 décembre 2009
imprimé dans la *Gazette de l'Ontario* le 2 janvier 2010

**DESCRIPTION DES QUARTIERS ÉLECTORAUX ET MODIFICATION DES LIMITES
TERRITORIALES**

Modification de la description du secteur annexé

1. (1) Le 1^{er} janvier 2010, la description de la partie de la ville d'Innisfil qui est annexée à la cité de Barrie en application du paragraphe 2 (1) de la Loi est modifiée comme l'indique le paragraphe (2).

(2) Pour l'application du paragraphe (1), l'annexe 1 de la Loi est réputée modifiée par substitution de ce qui suit :

De là, suivant vers l'ouest la limite nord de la moitié sud des lots 5, 4, 3, 2 et 1 de la concession XI jusqu'à la limite ouest, telle qu'elle existait le 31 décembre 2009, de la ville d'Innisfil;

De là, suivant vers le sud la limite ouest de la ville d'Innisfil jusqu'au point de départ;

à :

De là, suivant vers l'ouest la limite nord de la moitié sud des lots 5, 4, 3, 2 et 1 de la concession XI jusqu'à la ligne médiane de la route de comté n° 27, qui est également la limite ouest de la ville d'Innisfil;

De là, suivant vers le sud la ligne médiane de la route de comté n° 27 et la limite ouest de la ville d'Innisfil jusqu'au point de départ;

Modification de certains quartiers électoraux

2. Le 1^{er} janvier 2010, les quartiers 7, 8, 9 et 10 de la cité de Barrie sont modifiés de la façon suivante :

1. Le quartier n° 7 est constitué du secteur décrit à l'annexe 1 du présent règlement.
2. Le quartier n° 8 est constitué du secteur décrit à l'annexe 2 du présent règlement.
3. Le quartier n° 9 est constitué du secteur décrit à l'annexe 3 du présent règlement.
4. Le quartier n° 10 est constitué du secteur décrit à l'annexe 4 du présent règlement.

Entrée en vigueur

3. Le présent règlement entre en vigueur le jour de son dépôt.

ANNEXE 1 QUARTIER 7 DE LA CITÉ DE BARRIE

Le quartier n° 7 est constitué du secteur de la cité de Barrie délimité comme suit :

Commençant à l'intersection de la ligne de demi-lot de la concession IX et de l'autoroute 400; de là, suivant vers l'ouest la concession IX jusqu'à la limite ouest, telle qu'elle existait le 31 décembre 2009, de la ville d'Innisfil; de là, suivant vers le nord la ligne médiane de la réserve routière primitive jusqu'à la limite sud de Harvie Road; de là, suivant vers l'est Harvie Road, soit la réserve routière primitive entre les concessions XII et XIII, jusqu'à l'extrême nord-ouest de la pièce 209 figurant sur le plan n° 51M-669; de là, suivant vers le nord-est la ligne de lot la plus à l'est de la pièce 211 jusqu'à l'angle nord-ouest du lot 199 figurant sur le plan n° 51M-669; de là, traversant Harvie Road en direction nord-est jusqu'à l'angle sud-ouest du lot 69 figurant sur le plan n° 51M-799; de là, suivant vers le nord la ligne de lot nord du lot 69 jusqu'à la limite nord du lot 69; de là, suivant vers le sud les lignes de lot nord du lot 69, des pièces 127, 128 et 129 et des parties 11, 12 et 14 figurant sur le plan n° 51M-799 jusqu'à la limite sud de Harvie Road; de là, suivant vers l'est la limite sud de Harvie Road jusqu'à la limite ouest de l'autoroute 400; et de là, suivant vers le sud l'autoroute 400 jusqu'au point de départ.

ANNEXE 2 QUARTIER 8 DE LA CITÉ DE BARRIE

Le quartier n° 8 est constitué du secteur de la cité de Barrie délimité comme suit :

Commençant à l'intersection de la route secondaire n° 10 et de la ligne de demi-lot de la concession IX; de là, suivant vers l'ouest la ligne de demi-lot de la concession IX jusqu'à la limite est de l'autoroute 400; de là, suivant vers le nord la limite est de l'autoroute 400 jusqu'à la limite sud d'Essa Road; de là, suivant vers le nord-est Essa Road jusqu'à la limite sud de Tiffin Street; de là, suivant vers l'est Tiffin Street jusqu'au rivage de la baie Kempenfelt; de là, suivant vers l'est le rivage jusqu'à la section non ouverte de Huronia Road; de là, suivant vers le sud la limite ouest de Huronia Road jusqu'à la limite sud de Mapleview Drive East; de là, suivant vers l'est Mapleview Drive East jusqu'à la ligne de lot située entre les lots 12 et 13 de la concession XI; de là, suivant vers le sud la ligne de lot située entre les lots 12 et 13 de la concession XI jusqu'à la limite nord de Lockhart Road; de là, suivant vers l'ouest la limite nord de Lockhart Road jusqu'à la limite ouest de la route secondaire n° 10; et de là, suivant vers le sud la limite ouest de la route secondaire n° 10 jusqu'au point de départ.

ANNEXE 3 QUARTIER 9 DE LA CITÉ DE BARRIE

Le quartier n° 9 est constitué du secteur de la cité de Barrie délimité comme suit :

Commençant à l'intersection de l'angle nord-ouest de la voie ferrée du réseau de transport en commun GO et de Lockhart Road; de là, suivant vers l'ouest la limite nord de Lockhart Road jusqu'à la ligne de lot située entre les lots 12 et 13 de la concession XI; de là, suivant vers le nord la ligne de lot située entre les lots 12 et 13 jusqu'à la limite nord de Mapleview

Drive East; de là, suivant vers l'ouest la limite nord de Mapleview Drive East jusqu'à la limite est de Huronia Road; de là, suivant vers le nord la limite est de Huronia Road jusqu'à la voie ferrée du réseau de transport en commun GO; et de là, suivant vers le sud-est la limite sud-ouest de la voie ferrée jusqu'au point de départ.

ANNEXE 4
QUARTIER 10 DE LA CITÉ DE BARRIE

Le quartier n° 10 est constitué du secteur de la cité de Barrie délimité comme suit :

Commençant à l'intersection de l'angle nord-ouest de la route secondaire n° 20 et de la limite sud de la concession XI, soit la limite nord de Lockhart Road; de là, suivant vers l'ouest la limite nord de Lockhart Road jusqu'à la limite est de la voie ferrée du réseau de transport en commun GO; de là, suivant la limite est de la voie ferrée jusqu'à la section non ouverte de Huronia Road; de là, suivant vers le nord la limite est de la section non ouverte de Huronia Road jusqu'au rivage de la baie Kempenfelt; de là, suivant vers l'est le rivage de la baie Kempenfelt jusqu'à la limite est des limites de la cité; de là, suivant vers le sud les limites de la cité jusqu'à Big Bay Point Road; de là, suivant vers l'est la limite sud de Big Bay Point Road jusqu'à la limite ouest de la route secondaire n° 20; et de là, suivant vers le sud la route secondaire n° 20 jusqu'au point de départ.

Made by:
Pris par :

Le ministre des Affaires municipales et du Logement,

JIM WATSON
Minister of Municipal Affairs and Housing

Date made: December 15, 2009.
Pris le : 15 décembre 2009.

1/10

ONTARIO REGULATION 502/09

made under the

MILK ACT

Made: December 16, 2009
Filed: December 17, 2009
Published on e-Laws: December 21, 2009
Printed in *The Ontario Gazette*: January 2, 2010

Amending Reg. 753 of R.R.O. 1990
(Grades, Standards, Designations, Classes, Packing and Marking)

Note: Regulation 753 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. (1) The description of class 1a of the Table to section 11 of Regulation 753 of the Revised Regulations of Ontario, 1990 is amended by striking out “90% of the amount of” and substituting “Milk used to process”.

(2) The description of class 1b of the Table to section 11 of the Regulation is amended by striking out “90% of the amount of” and substituting “Milk used to process”.

2. This Regulation comes into force on February 1, 2010.

Made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

G. KAMENZ
Chair

GEORGE MCCAW
Director, Secretary to the OFPMC

Date made: December 16, 2009.

1/10

NOTE: Consolidated regulations and various legislative tables pertaining to regulations can be found on the e-Laws website (www.e-Laws.gov.on.ca).

REMARQUE : Les règlements codifiés et diverses tables concernant les règlements se trouvent sur le site Lois-en-ligne (www.lois-en-ligne.gouv.on.ca).

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