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Bill 109

An Act to enact the Farmland Security Act, 2026 and to amend various Acts

The Hon. T. Jones

Minister of Agriculture, Food and Agribusiness

Government Bill

1st Reading April 22, 2026

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 BEEF CATTLE MARKETING ACT

Section 3 of the *Beef Cattle Marketing Act* is amended to provide that no producer shall provide cattle for custom processing except under the authority of a licence and to provide that every producer who provides cattle for custom processing is deemed to be the holder of a licence. Section 3 is also amended to provide that a producer who processes their own cattle shall pay any licence fees prescribed by regulation applicable to the producer's cattle as if the cattle were sold. This section is further amended to authorize producers to seek reimbursement of the prescribed licence fee payable to an association for up to two head of cattle where the cattle are custom processed for personal consumption.

Other consequential amendments are made.

Sections 10 to 16 of the Act are repealed. Section 10 prohibits the operator of a plant from purchasing cattle for slaughter on the basis of carcass weight, unless the plant is included on a list maintained by the director appointed under the Act. Sections 11 to 16 establish requirements for hearings and appeals made by operators of plants that are not included on the list or have been removed from it.

SCHEDULE 2 FARMING AND FOOD PRODUCTION PROTECTION ACT, 1998

The Schedule amends the *Farming and Food Production Protection Act, 1998* to transfer the powers and duties of the Normal Farm Practices Protection Board to the Agriculture and Agri-Food Protection Tribunal. Other amendments, including to provide for transitional matters, are made to the Act to reflect this transfer.

SCHEDULE 3 FARMLAND SECURITY ACT, 2026

The Schedule enacts the *Farmland Security Act, 2026*.

The Act prohibits a designated person, who may be a foreign national or an individual, corporation, partnership or other entity that satisfies criteria as may be prescribed by the regulations, from purchasing or otherwise acquiring farmland or an interest in farmland. The regulations may provide exemptions from the prohibition.

A person submitting a conveyance of farmland or an interest in farmland is required to provide information respecting the conveyance to the Minister. If the required information is not provided in accordance with the Act, a land registrar must refuse to register the conveyance.

A designated person may apply to the Minister for permission to purchase or otherwise acquire farmland or an interest in farmland. If permission is not granted, the regulations may provide for a review of the determination to not grant permission.

The Act provides for various enforcement measures, including the appointment of inspectors and investigators to conduct inspections and investigations to ensure the Act and the regulations are being complied with. Provisions respecting compliance orders and offences are provided for.

Other provisions of the Act include protections against liability and regulation-making powers.

SCHEDULE 4 FOOD SAFETY AND QUALITY ACT, 2001

This Schedule amends the *Food Safety and Quality Act, 2001*. Some highlights include:

1. The scope of the Act is expanded to include milk and milk products as foods that are regulated by the Act. Various provisions of the Act are amended to reflect this change.
2. The rules in the Act with respect to administrative penalties are updated in re-enacted section 41 and new sections 41.1 and 41.2 of the Act.
3. Part VI is re-enacted to include new rules with respect to delegated authorities. The existing previous rules as set out in section 49 of the Act are replaced by the re-enacted Part. Various other provisions of the Act are amended or repealed to reflect this change.
4. Previously section 50 of the Act set out the Crown liability rules. These rules are replaced by re-enacted section 50 of the Act. New section 50.1 provides the liability rules with respect to delegated authorities.
5. Consequential amendments are made to the *Health Protection and Promotion Act*.

**SCHEDULE 5
MILK ACT**

This Schedule amends the *Milk Act*. Some of the highlights include the following:

1. Milk products have been added to the definition of “regulated product” in section 1 of the Act and references throughout the Act to cream or cheese are updated to now refer to milk products.
2. The Act is amended such that it no longer provides for the control and regulation of the quality of milk and milk products. Various provisions are repealed or amended to reflect this change.
3. The Act is amended such that it no longer governs plants. Various provisions are repealed or amended to reflect this change.
4. Various amendments are made to the Lieutenant Governor in Council’s regulation-making authority in section 6 of the Act. Various amendments are also made to the Commission’s regulation-making authority in section 7 of the Act.
5. New rules respecting powers on inspections are added to re-enacted sections 8 and 9 of the Act.
6. New section 26.1 of the Act provides the Minister with transition regulation-making authority.
7. A consequential amendment is made to the *Ministry of Agriculture, Food and Rural Affairs Act*.

**SCHEDULE 6
MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS ACT**

The Schedule amends the *Ministry of Agriculture, Food and Rural Affairs Act*.

Subsection 14 (1) is re-enacted to provide that the Agriculture, Food and Rural Affairs Appeal Tribunal is continued under the name of the Agriculture and Agri-Food Protection Tribunal. Consequential amendments are made in various other statutes to reflect that change.

Currently, subsection 16 (12) requires the Tribunal to send notice of its decision and reasons to all parties to the appeal within 20 days after the hearing is completed. This subsection is re-enacted to change that period to 30 days.

A transitional amendment is made so that the 30-day period applies to any hearing that has been completed before the day the amendment comes into force.

Amendments are made to the French version of the Act for internal consistency and to align with the English version of the Act.

**SCHEDULE 7
ONTARIO FOOD TERMINAL ACT**

The Schedule amends the *Ontario Food Terminal Act*.

Section 2 is amended to provide that the Ontario Food Terminal Board is an agent of the Crown in right of Ontario.

Section 7 is amended to provide that the setting up of reserve funds under this section includes the setting up of capital funds.

Amendments are also made to provide protections against liability to the Crown, employees or agents of the Crown as well as to members, officers or employees of the Ontario Food Terminal Board and the manager of the Ontario Food Terminal.

**SCHEDULE 8
PROTECTING FARMERS FROM NON-PAYMENT ACT
(REGULATING AGRICULTURAL PRODUCT DEALERS AND STORAGE OPERATORS), 2023**

The Schedule amends the *Protecting Farmers from Non-Payment Act (Regulating Agricultural Product Dealers and Storage Operators), 2023*. Among the changes are the following:

1. The definition of “dealer” is repealed and replaced.
2. Certain provisions of Part IV of the Act relating to agreements between dealers and producers are amended to cover agreements between prescribed buyers and sellers.
3. Part V of the Act is amended with respect to requirements for storage operators to provide weigh tickets and storage receipts and with respect to shortfall permits.
4. Amendments are made to Part VI of the Act concerning who may be a beneficiary of a trust constituted under section 22 and the payment of amounts out of a trust.
5. Various technical changes are made to Part VII of the Act in connection with claims for payment out of funds under that Part.
6. A new Part VII.1 is added to the Act. Rules are set out with respect to the collection and grading of agricultural products that are designated by regulation as Part VII.1 designated products.

7. Amendments are made to the enforcement measures set out in Part IX of the Act, including with respect to compliance orders, freeze orders and administrative penalties.
8. The Minister's regulation-making powers under Part XII of the Act are amended.

SCHEDULE 9
VETERINARY PROFESSIONALS ACT, 2024

The Schedule amends the *Veterinary Professionals Act, 2024*. A definition of “ancillary services” is added to subsection 1 (1) of the Act and the definition of “Minister” is revised. New subsections 21 (3) and (4) of the Act provide for exceptions to the requirement to obtain a certificate of accreditation in certain circumstances. Sections 46, 49 and 51 of the Act are amended with respect to members or former members who knew or ought to have known that information they provided when applying for a licence was false or misleading. Subsection 68 (12) of the Act is amended to remove the reference to a complainant being a party in a proceeding before the Discipline and Fitness to Practise Committee. New subsection 83 (3) of the Act provides for the disclosure by prescribed persons of prescribed information. Various amendments are made to the Act to provide for entry and inspection of veterinary facilities and other prescribed buildings, vehicles and land. Various amendments are also made to the regulation-making authority in subsection 93 (1) of the Act.

An Act to enact the Farmland Security Act, 2026 and to amend various Acts

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Preamble

The Government of Ontario is committed to:

Advancing the resilience and efficiency of the agricultural sector, allowing producers and agribusinesses to remain competitive.

Improving the operational efficiency of the agricultural sector by streamlining governance frameworks and decision-making mechanisms, as well as by strengthening financial protection frameworks for producers.

Enhancing fairness for beef and dairy producers by facilitating equitable and principled cost structures and pricing policies.

Protecting Ontario farmland by creating a framework to restrict foreign acquisitions.

Supporting long-term stability, modernization and growth of the veterinary profession in Ontario.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3, and the Schedules to this Act.

Commencement

2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by order of the Lieutenant Governor in Council, an order may apply to one or more of those provisions, and orders may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Protecting Ontario's Food Independence Act, 2026*.

**SCHEDULE 1
BEEF CATTLE MARKETING ACT**

1 (1) Section 1 of the *Beef Cattle Marketing Act* is amended by adding the following definition:

“custom processing” means the slaughter and processing of cattle at a plant for a service charge where the producer retains ownership of the cattle and carcass; (“transformation sur demande”)

(2) The definition of “Minister” in section 1 of the Act is repealed and the following substituted:

“Minister” means the Minister of Agriculture, Food and Agribusiness or such other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

(3) The French version of the definition of “slaughter” in section 1 of the Act is repealed and the following substituted:

«abattage» Abattage d’animaux en vue de transformer la viande en aliments. (“slaughter”)

(4) The definition of “Tribunal” in section 1 of the Act is repealed.

2 Subclause 2 (b) (i) of the Act is amended by adding “or custom processing” after “sale”.

3 (1) Subsection 3 (1) of the Act is repealed and the following substituted:

Licences

(1) No person shall sell cattle and no person shall provide cattle for custom processing except under the authority of a licence.

(2) Subsection 3 (2) of the Act is amended by adding “and every producer who provides cattle for custom processing” after “sells cattle”.

(3) Section 3 of the Act is amended by adding the following subsections:

Producer processing cattle

(3) A producer who processes their own cattle shall pay any licence fees prescribed by regulation applicable to the producer’s cattle as if the cattle were sold.

Same

(4) For the purposes of subsection (3), a producer includes a producer that processes cattle through a corporation over which the producer has the ability, directly or indirectly, to exercise control or significant influence.

Custom processing of cattle — reimbursement for personal consumption

(5) In each year, a producer may seek reimbursement from an association of the prescribed licence fee payable to the association for up to two head of cattle where the cattle are custom processed for personal consumption.

4 Clause 4 (2) (b) of the Act is amended by adding “or custom processing” after “sale”.

5 (1) Clause 5 (1) (b) of the Act is amended by striking out “for the sale of cattle” at the end.

(2) Clause 5 (1) (c.1) of the Act is repealed and the following substituted:

(c.1) granting to an agency established under the *Farm Products Agencies Act* (Canada) the authority to fix, impose and collect levies from sellers of cattle or producers providing cattle for custom processing of cattle within Ontario, including the authority to classify sellers into groups and to fix levies in different amounts for the different groups;

(3) The French version of clause 5 (1) (c.2) of the Act is amended by striking out “taxes” at the end and substituting “redevances”.

(4) Clause 5 (1) (d) of the Act is repealed and the following substituted:

(d) requiring any person who receives cattle or carcasses from a seller or from a producer who provides cattle for custom processing to deduct, from the money payable to that seller, or add to the service charge owing for the custom processing, any licence fee payable to an association or any levy payable to an agency established under the *Farm Products Agencies Act* (Canada) and to forward the licence fee or levy to the association or agency;

(5) Clause 5 (1) (e) of the Act is repealed and the following substituted:

(e) requiring any person who receives cattle from a seller or from a producer who provides cattle for custom processing to provide an association with information relating to the sale or custom processing of the cattle, including the name of the seller or the producer, the number of head sold or custom processed, the class of cattle and the sale price;

(6) The French version of clause 5 (1) (o) of the Act is amended by striking out “du montant payable d’un bovin ou d’une carcasse” at the end and substituting “du montant d’un bovin ou d’une carcasse à payer”.

6 The French version of subsection 7 (1) of the Act is amended by striking out “traiter” and substituting “transformer”.

7 Sections 10 to 16 of the Act are repealed.

Commencement

8 This Schedule comes into force on the day the *Protecting Ontario's Food Independence Act, 2026* receives Royal Assent.

SCHEDULE 2
FARMING AND FOOD PRODUCTION PROTECTION ACT, 1998

1 (1) The definition of “Board” in subsection 1 (1) of the *Farming and Food Production Protection Act, 1998* is repealed.

(2) The definition of “Minister” in subsection 1 (1) of the Act is amended by striking out “Rural Affairs” and substituting “Agribusiness or such other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*”.

(3) Subsection 1 (1) of the Act is amended by adding the following definition:

“Tribunal” means the Agriculture and Agri-Food Protection Tribunal continued under the *Ministry of Agriculture, Food and Rural Affairs Act*. (“Tribunal”)

2 Section 3 of the Act is repealed.

3 Section 4 of the Act is repealed and the following substituted:

Powers of the Tribunal

4 The Tribunal has the power to inquire into and resolve a dispute respecting an agricultural operation and to determine what constitutes a normal farm practice.

4 Subsections 5 (1) to (3) of the Act are repealed and the following substituted:

Application, re disturbances

(1) A person directly affected by a disturbance from an agricultural operation may apply to the Tribunal for a determination as to whether the disturbance results from a normal farm practice.

Hearing

(2) Subject to section 8, the Tribunal shall hold a hearing in respect of each application.

Parties and notice of hearing

(3) The applicant and the farmer are parties to the hearing, and are entitled to notice of the hearing by the Tribunal.

5 (1) Subsection 6 (2) of the Act is amended by striking out “the Board, in a form acceptable to it, for a determination” and substituting “the Tribunal for a determination”.

(2) Subsection 6 (4) of the Act is repealed.

(3) Subsection 6 (8) of the Act is repealed.

(4) Subsections 6 (10) and (11) of the Act are repealed.

6 (1) Subsection 7 (2) of the Act is amended by striking out “the Board, in a form acceptable to the Board, for a determination” and substituting “the Tribunal for a determination”.

(2) Subsection 7 (3) of the Act is repealed.

(3) Subsections 7 (8) and (9) of the Act are repealed.

7 Section 8 of the Act is amended by adding the following subsection:

Tribunal to impose dispute resolution

(1.1) The Tribunal may require a person to engage in a dispute resolution process, including mediation and conciliation, before making an application under section 5, 6 or 7.

8 The Act is amended by adding the following section:

Transfer of powers and duties

11 (1) The powers and duties of the Normal Farm Practices Protection Board are transferred to the Agriculture and Agri-Food Protection Tribunal.

Same, transitional matters

(2) The following occurs on the day subsection (1) comes into force:

1. The rights and obligations of the Board become the rights and obligations of the Tribunal.
2. A member of the Board who is not already a member of the Tribunal is deemed to have been appointed to the Tribunal under section 14 of the *Ministry of Agriculture, Food and Rural Affairs Act* for the same term as the member was appointed to the Board.
3. Any pending referral to the Board under subsection 2 (1.2) becomes a referral to the Tribunal.
4. Any pending application made to the Board under section 5, 6 or 7 becomes an application made to the Tribunal.

5. Any ongoing matter before the Board continues to be heard by the same panel of members before the Tribunal.
6. Any order made under clause 4 (2) (b) immediately before section 3 of Schedule 2 the *Protecting Ontario's Food Independence Act, 2026* came into force becomes an order of the Tribunal.

9 The Act is amended by striking out “Board” and “Board’s” wherever it appears and substituting in each case “Tribunal” and “Tribunal’s”, respectively, except in section 11.

Commencement

10 This Schedule comes into force on the day section 3 of Schedule 6 to the *Protecting Ontario's Food Independence Act, 2026* comes into force.

**SCHEDULE 3
FARMLAND SECURITY ACT, 2026**

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DEFINITIONS

Definitions

1 In this Act,

“conveyance” includes, subject to the regulations, any instrument or writing by which land is conveyed; (“cession”)

“designated person” means,

- (a) a foreign national,
- (b) an individual who satisfies such criteria as may be prescribed by the regulations, or
- (c) a corporation, partnership or other entity that satisfies such criteria as may be prescribed by the regulations; (“personne désignée”)

“farmland” means, subject to the regulations, land used or capable of being used for farm purposes and buildings on that land; (“terres agricoles”)

“foreign national” means an individual who is a foreign national as defined in subsection 2 (1) of the *Immigration and Refugee Protection Act* (Canada), but does not include a person registered as an Indian under the *Indian Act* (Canada); (“étranger”)

“interest in farmland” includes, subject to the regulations,

- (a) any interest in farmland held under an agreement of purchase and sale, and
- (b) an interest in farmland of a type prescribed by the regulations; (“intérêt sur des terres agricoles”)

“Minister” means the Minister of Agriculture, Food and Agribusiness or such other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

“registration”, in respect of a conveyance, means registration under the *Land Titles Act* or the *Registry Act*; (“enregistrement”)
 “regulations” means the regulations made under this Act. (“règlements”)

ADMINISTRATION

Prescribed person or entity

2 (1) The Lieutenant Governor in Council may, by regulation, prescribe one or more persons or entities to administer one or more provisions of this Act or the regulations as may be specified by the regulation.

Excepted provisions

(2) The following provisions of this Act shall not be specified for the purposes of subsection (1):

1. This section.
2. Section 9.
3. Section 10.
4. Subsections 12 (1) and (2).
5. Section 23.

Interpretation

(3) If a person or entity is prescribed by the regulations to administer a provision of this Act or the regulations, any reference to the Minister in that provision shall be read as a reference to the prescribed person or entity responsible for administering that provision.

Application of s. 9

(4) If a person or entity is prescribed by the regulations to administer a provision of this Act or the regulations, section 9 applies to the prescribed person or entity to the extent necessary to administer that provision with the following modifications:

1. A reference to the Minister shall be read to include the prescribed person or entity.
2. A reference to this Act and the regulations shall be read as a reference to the provision the prescribed person or entity is responsible for administering.

RESTRICTIONS ON ACQUISITION OF FARMLAND

Prohibition, purchase, etc., of farmland

3 (1) Subject to the regulations, a designated person shall not, directly or indirectly, purchase or otherwise acquire farmland or an interest in farmland in Ontario.

Same, purchase, etc., on behalf of designated person

(2) No person shall purchase or otherwise acquire farmland or an interest in farmland in Ontario on behalf of a designated person if the purchase or acquisition by the designated person would be in contravention of this Act or the regulations.

Information required re conveyance

4 (1) A person submitting a conveyance of farmland or an interest in farmland for registration shall provide the information prescribed by the regulations respecting the conveyance to the Minister in accordance with this section.

Same

(2) The information required by this section shall be provided in accordance with the regulations by the person prescribed by the regulations and shall accompany the conveyance to which it relates.

Verification

(3) The Minister may require a person purchasing or otherwise acquiring farmland or an interest in farmland to provide additional information as the Minister considers necessary for the purpose of determining whether,

- (a) the purchase or acquisition is in contravention of this Act or the regulations;
- (b) the person is a designated person; or
- (c) the information provided under this section is false.

Refusal to register

5 A land registrar to whom a conveyance of farmland or an interest in farmland is submitted for registration shall refuse to register the conveyance unless the conveyance submitted for registration is accompanied by the information required under section 4 in accordance with that section.

Prohibition, false information

6 No person shall provide information required under section 4 that is false or omit any information the omission of which makes the information false.

Permission to purchase, etc.

7 (1) Despite section 3, a designated person may purchase or otherwise acquire farmland or an interest in farmland if the Minister has granted permission to the designated person to purchase or otherwise acquire the farmland or the interest in farmland in accordance with this section.

Effective date

(2) A purchase or acquisition in respect of which a permission has been granted may be made as of the date of issue of the notice of the determination under subsection (5).

Application for permission

(3) A designated person who intends to purchase or otherwise acquire farmland or an interest in farmland may apply, in accordance with the regulations, to the Minister for permission to purchase or otherwise acquire the farmland or an interest in the farmland.

Same

(4) On receipt of an application mentioned in subsection (3), the Minister shall, in accordance with such rules as may be prescribed by the regulations, determine whether to grant the requested permission.

Notice of determination

(5) The Minister shall provide the applicant with written notice of their determination to grant or not grant the requested permission.

Review

8 (1) If the regulations so provide, a person who has received a notice under subsection 7 (5) that permission has not been granted may apply to a person or entity prescribed by the regulations for a review of the determination in accordance with the regulations.

Different prescribed person or entity

(2) If a person or entity is prescribed by the regulations to administer section 7, the person or entity mentioned in subsection (1) must not be the same as the person or entity prescribed to administer section 7.

Collection and use of information

9 (1) The Minister may collect and use the information obtained under this Act for the following purposes:

1. The administration or enforcement of this Act and the regulations.
2. The compilation of statistical information and the development and evaluation of policy respecting this Act and the regulations.
3. Any other purpose prescribed by the regulations.

Disclosure of information

(2) The Minister may disclose any information, including personal information, collected under this Act for the following purposes:

1. The administration or enforcement of this Act and the regulations.
2. Any other purpose prescribed by the regulations.

Confidentiality

(3) Except as authorized by this section, the Minister shall not knowingly communicate or knowingly allow to be communicated to any person any personal information collected under this Act.

Testimony

(4) No person who collects information under this Act shall be required, in connection with any legal proceedings,

- (a) to give evidence relating to any information obtained under this Act; or
- (b) to produce any information obtained under this Act.

Exception

(5) Subsections (3) and (4) do not apply in respect of,

- (a) criminal proceedings under any Act of the Parliament of Canada;

- (b) proceedings in respect of the trial of a person for an offence under an Act of the Legislature; or
- (c) proceedings relating to the administration or enforcement of this Act or the regulations.

Same

- (6) The Minister may permit information collected under this Act to be given to,
- (a) the person from whom the information was obtained; or
 - (b) the legal representative of a person mentioned in clause (a) or the agent of the person authorized in writing to act on their behalf.

Notice required by s. 39 (2) of FIPPA

- (7) If the Minister collects personal information indirectly under this Act, a notice required by subsection 39 (2) of the *Freedom of Information and Protection of Privacy Act* may be given by,
- (a) a public notice posted on the Government of Ontario's website; or
 - (b) any other method that may be prescribed by the regulations.

Definition

- (8) In this section,
 "personal information" has the same meaning as in the *Freedom of Information and Protection of Privacy Act*.

INSPECTIONS AND INVESTIGATIONS

Inspectors

- 10 The Minister may, in writing,
- (a) appoint persons as inspectors for the purposes of this Act; and
 - (b) designate persons, including persons engaged as inspectors for the purposes of any other Act, as inspectors for the purposes of this Act or for any specific purposes under this Act provided for in the designation.

Inspection powers

- 11 (1) An inspector may, without a warrant, enter and inspect any place in order to ensure that this Act and the regulations are being complied with.

Time of entry

- (2) The power to enter and inspect a place without a warrant may only be exercised during the place's regular business hours or during other reasonable times.

Dwellings

- (3) The power to enter and inspect a place without a warrant shall not be used to enter and inspect a place or a part of a place that is used as a dwelling.

Use of force

- (4) An inspector is not entitled to use force to enter and inspect a place.

Identification

- (5) An inspector shall, upon request, produce evidence of their appointment or designation.

Powers of inspector

- (6) An inspector conducting an inspection may,
- (a) examine a record or other thing that the inspector thinks may be relevant to the inspection;
 - (b) require the production of a record or other thing that the inspector thinks may be relevant to the inspection;
 - (c) remove for review and copying a record or other thing that the inspector thinks may be relevant to the inspection;
 - (d) in order to produce a record in readable form, use data storage, information processing or retrieval devices or systems that are normally used in carrying on business in the place; and
 - (e) question any person on matters the inspector thinks may be relevant to the inspection.

Written demand

- (7) A demand that a record or other thing be produced must be in writing and must include a statement of the nature of the record or other thing to be produced.

Obligation to produce and assist

(8) If an inspector demands that a record or other thing be produced, the person who has custody of the record or thing shall produce it and, in the case of a record, shall on request provide any assistance that is reasonably necessary to interpret the record or to produce it in a readable form.

Records and things removed from place

(9) An inspector who removes a record or other thing under clause (6) (c) shall provide a receipt and return the record or thing to the person within a reasonable time.

Copy admissible in evidence

(10) A copy of a record that purports to be certified by an inspector as being a true copy of the original is admissible in evidence to the same extent as the original, and has the same evidentiary value.

Obstruction

(11) No person shall,

- (a) hinder, obstruct or interfere with or attempt to hinder, obstruct or interfere with an inspector conducting an inspection;
- (b) refuse to answer questions on matters that an inspector thinks may be relevant to an inspection;
- (c) provide an inspector with information on matters the inspector thinks may be relevant to an inspection that the person knows to be false or misleading; or
- (d) prevent or attempt to prevent an inspector from making inquiries of any person separate and apart from another person under clause (6) (e).

Appointment of investigators

12 (1) The Minister may appoint persons to be investigators for the purposes of conducting investigations in order to ensure this Act and the regulations are being complied with.

Certificate of appointment

(2) The Minister shall issue to every investigator a certificate of appointment bearing the Minister's signature or a facsimile of the signature.

Production of certificate of appointment

(3) Every investigator who is conducting an investigation, including under section 13, shall, upon request, produce the certificate of appointment as an investigator.

Search warrant

13 (1) Upon application made without notice by an investigator, a justice of the peace may issue a warrant, if the justice of the peace is satisfied on information under oath that there are reasonable grounds for believing that,

- (a) an inspector is being prevented from doing anything the inspector is entitled to do under section 11; or
- (b) a person has contravened or is contravening this Act or the regulations, and there is,
 - (i) in any building, dwelling, receptacle or place, anything relating to the contravention, or
 - (ii) information or evidence relating to the contravention that may be obtained through the use of an investigative technique or procedure or the doing of anything described in the warrant.

Powers under warrant

(2) Subject to any conditions contained in it, a warrant obtained under subsection (1) authorizes an investigator,

- (a) to enter or access the building, dwelling, receptacle or place specified in the warrant and examine and seize anything described in the warrant;
- (b) to make reasonable inquiries of any person, orally or in writing, with respect to anything relevant to the investigation;
- (c) to require a person to produce the information or evidence described in the warrant and to provide whatever assistance is reasonably necessary, including using any data storage, processing or retrieval device or system to produce, in any form, the information or evidence described in the warrant;
- (d) to use any data storage, processing or retrieval device or system used in carrying on business in order to produce information or evidence described in the warrant, in any form; and
- (e) to use any investigative technique or procedure to do anything described in the warrant.

Entry of dwelling

(3) Despite subsection (2), an investigator shall not exercise the power under a warrant to enter a place, or part of a place, used as a dwelling, unless,

- (a) the justice of the peace is informed that the warrant is being sought to authorize entry into a dwelling; and
- (b) the justice of the peace authorizes the entry into the dwelling.

Conditions on warrant

(4) A warrant obtained under subsection (1) shall contain such conditions as the justice of the peace considers advisable to ensure that any search authorized by the warrant is reasonable in the circumstances.

Expert help

(5) The warrant may authorize persons who have special, expert or professional knowledge and other persons as necessary to accompany the investigator in respect of the execution of the warrant.

Time of execution

(6) An entry or access under a warrant issued under this section shall be made between 6 a.m. and 9 p.m. unless the warrant specifies otherwise.

Expiry of warrant

(7) A warrant issued under this section shall name a date of expiry, which shall be no later than 30 days after the warrant is issued, but a justice of the peace may extend the date of expiry for an additional period of no more than 30 days, upon application without notice by an investigator.

Use of force

(8) An investigator may call upon police officers for assistance in executing the warrant and the investigator may use whatever force is reasonably necessary to execute the warrant.

No obstruction

(9) No person shall obstruct an investigator executing a warrant under this section or withhold from the investigator or conceal, alter or destroy anything relevant to the investigation being conducted pursuant to the warrant.

Compliance

(10) If an investigator under clause (2) (c) requires a person to produce evidence or information or to provide assistance, the person shall produce the evidence or information or provide the assistance as the case may be.

Copies of seized items

(11) An investigator who seizes any thing under this section or section 14 may make a copy of it.

Admissibility

(12) A copy of a document or record certified by an investigator as being a true copy of the original is admissible in evidence to the same extent as the original and has the same evidentiary value.

Seizure of things not specified

14 An investigator who is lawfully present in a place pursuant to a warrant or otherwise in the execution of the investigator's duties may, without a warrant, seize anything in plain view that the investigator believes on reasonable grounds will afford evidence relating to a contravention of this Act or the regulations.

Searches in exigent circumstances

15 (1) An investigator may exercise any of the powers described in subsection 13 (2) without a warrant if the conditions for obtaining the warrant exist but by reason of exigent circumstances it would be impracticable to obtain the warrant.

Dwellings

(2) Subsection (1) does not apply to a building or part of a building that is being used as a dwelling.

Use of force

(3) The investigator may, in executing any authority given by this section, call upon police officers for assistance and use whatever force is reasonably necessary.

Applicability of s. 13

(4) Subsections 13 (5), (9), (10), (11) and (12) apply with necessary modifications to a search under this section.

Report when things seized

16 (1) An investigator who seizes any thing under the authority of section 13, 14 or 15 shall bring it before a justice of the peace or, if that is not reasonably possible, shall report the seizure to a justice of the peace.

Procedure

(2) Sections 159 and 160 of the *Provincial Offences Act* apply with necessary modifications in respect of a thing seized under the authority of section 13, 14 or 15 of this Act, reading the reference in subsection 160 (1) of that Act to a document that a person is about to examine or seize under a search warrant as a reference to a thing that an investigator is about to examine or seize under the authority of section 13, 14 or 15 of this Act.

ENFORCEMENT

Orders**Order to dispose of farmland**

17 (1) The Minister may issue an order to any person who purchased or otherwise acquired farmland or an interest in farmland in contravention of this Act or the regulations requiring that person to dispose of the farmland or the interest in farmland.

Order to prohibit purchase, etc.

(2) If the Minister is satisfied that a person intends to purchase or otherwise acquire farmland or an interest in farmland in contravention of this Act or the regulations, the Minister may issue an order to the person prohibiting the person from proceeding with the purchase or acquisition.

Court order to comply

(3) If a person contravenes this Act or the regulations or fails to comply with an order under this section, the Minister may, in addition to any other remedy and to any other penalty imposed by law, apply to the Superior Court of Justice for an order directing the person to comply, and on the application, the court may make the order that the court thinks fit.

Compliance with order

(4) A person shall comply with an order issued under this section.

Offences

18 (1) A person is guilty of an offence if the person contravenes any of the following provisions:

1. Subsection 3 (1) or (2).
2. Section 6.
3. Subsection 11 (11).
4. Subsection 13 (9).
5. Subsection 17 (4).
6. Any provision of the regulations that is prescribed by the regulations.

Corporations

(2) If a corporation commits an offence under this Act, a director or officer of a corporation who authorized, permitted or concurred in the commission of the offence is also guilty of an offence.

Penalties, individual

(3) An individual convicted of an offence under this Act is liable to a fine of not more than \$500,000.

Penalties, corporation

(4) A corporation convicted of an offence under this Act is liable to a fine of not more than \$1,000,000.

Limitation

(5) No proceeding for an offence under this section shall be commenced more than two years after the facts on which the proceeding is based first came to the knowledge of an investigator.

GENERAL

Crown liability

19 (1) No cause of action arises against any current or former member of the Executive Council, Deputy Minister or employee, officer or agent of the Crown for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person's powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions.

Crown remains vicariously liable

(2) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (1) does not relieve the Crown of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in subsection (1).

No liability for acts or omissions of others

(3) No cause of action arises against the Crown or any person specified in subsection (1) for an act or omission of a person other than the Crown or a person specified in that subsection if the act or omission is related, directly or indirectly, to the exercise or performance, or intended exercise or performance, of a power, duty or function under this Act.

Employment, etc., with prescribed person or entity

(4) If a person who is an employee, officer or agent of the Crown is employed in or assigned to or otherwise performs duties directly for a person or entity prescribed by the regulations to administer a provision of this Act or the regulations, the person is deemed to be an employee of the prescribed person or entity and not an employee, officer or agent of the Crown in relation to the person's acts or omissions arising from the employment, assignment or performance for the purposes of this section and sections 20 and 21 as well as any claim for vicarious liability.

Proceedings by Crown not prevented

(5) This section does not apply with respect to proceedings brought by the Crown.

Prescribed person or entity liability**No personal liability**

20 (1) No cause of action arises against any individual prescribed by the regulations to administer a provision of this Act or the regulations or any current or former director, member, officer, employee or agent of a person or entity prescribed by the regulations to administer a provision of this Act or the regulations for any act done in good faith in the exercise or performance, or intended exercise or performance, of the director's, member's, officer's, employee's or agent's powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions.

Prescribed person or entity vicariously liable

(2) Subsection (1) does not relieve a person or entity prescribed by the regulations to administer a provision of this Act or the regulations of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in subsection (1).

Proceedings by Crown not prevented

(3) This section does not apply with respect to proceedings brought by the Crown.

Proceedings barred

21 (1) No proceeding shall be commenced,

- (a) against any person specified in subsection 19 (1) in respect of a matter referred to in that subsection;
- (b) against the Crown or any person specified in subsection 19 (1) in respect of a matter referred to in subsection 19 (3); or
- (c) against any person specified in subsection 20 (1) in respect of a matter referred to in that subsection.

Same

(2) Subsection (1) does not apply with respect to an application for judicial review, a claim for a constitutional remedy or any proceeding specifically provided for under this Act, but does apply with respect to any other court, administrative or arbitral proceeding claiming any remedy or relief, including specific performance, an injunction, declaratory relief, a remedy in contract, restitution, unjust enrichment or tort, a remedy for breach of trust or fiduciary obligation or any equitable remedy, enforcement of a judgment, order or award made outside Ontario or any form of compensation or damages including loss of revenue or profit.

Proceedings by Crown not prevented

(3) This section does not apply with respect to proceedings brought by the Crown.

No compensation

22 No person is entitled to any compensation for any loss or damages, including loss of revenues or loss of profit, arising from the enactment, amendment, repeal or application of this Act, the making, amendment, revocation or application of the regulations or an order under this Act or the granting, amendment, revocation or application of a permission under this Act.

Regulations

23 The Lieutenant Governor in Council may make regulations,

- (a) respecting anything that may or must be done by regulation;

- (b) further defining, specifying or clarifying the definition of “conveyance” in section 1, which may include but is not limited to,
 - (i) prescribing types of agreements or arrangements as conveyances,
 - (ii) excluding types of agreements or arrangements from the definition of “conveyance”;
- (c) prescribing criteria for the purposes of the definition of “designated person” in section 1, including respecting the manner in which and extent to which an individual corporation, partnership or other entity is connected to Canada;
- (d) further defining, specifying or clarifying the definition of “farmland” in section 1, which may include but is not limited to,
 - (i) defining “farm purposes”,
 - (ii) providing that land is farmland if it is used for farm purposes by specified persons,
 - (iii) excluding types of land and buildings from the definition,
 - (iv) providing that land and buildings are farmland based on previous use for farm purposes and specifying the time period in which the previous use for farm purposes must have occurred;
- (e) further defining “interest in farmland” in section 1, including,
 - (i) prescribing types of interests in farmland for the purposes of clause (b) of the definition, which may include but are not limited to rights, shares, debts and obligations,
 - (ii) excluding types of interests in farmland from the definition;
- (f) defining “acquire” for the purposes of this Act;
- (g) exempting any person, transaction or quantity of land from the application of subsection 3 (1) and providing that the exemption is subject to such conditions as may be specified by regulation;
- (h) governing information required to be provided under section 4, including,
 - (i) prescribing information to be provided under subsection 4 (1), and
 - (ii) prescribing the form and manner in which the information must be provided, which may include,
 - (A) authorizing the Minister to approve the form and manner, and
 - (B) requiring it to be provided in the form of an affidavit,
 - (iii) prescribing persons who must provide the information required by section 4;
- (i) governing applications for permission under section 7, including,
 - (i) specifying information that a person must include in an application,
 - (ii) specifying circumstances where the Minister may grant permission,
 - (iii) prescribing fees to be paid by applicants for permissions;
- (j) governing reviews under section 8, including,
 - (i) specifying information that a person must include when requesting a review,
 - (ii) specifying the form and manner in which information must be provided,
 - (iii) prescribing procedures respecting reviews, including timing requirements for applying for a review and notice requirements,
 - (iv) prescribing fees to be paid by applicants for reviews.

COMMENCEMENT AND SHORT TITLE

Commencement

24 The Act set out in this Schedule comes into force on a day to be named by order of the Lieutenant Governor in Council.

Short title

25 The short title of the Act set out in this Schedule is the *Farmland Security Act, 2026*.

**SCHEDULE 4
FOOD SAFETY AND QUALITY ACT, 2001**

1 (1) Section 2 of the *Food Safety and Quality Act, 2001* is amended by adding the following definitions:

“delegated authority” means a delegated authority designated under clause 47 (1) (b); (“organisme délégué”)

“requirement established under this Act” means a requirement imposed by this Act or by a regulation, a licence, permit or certificate, a condition of a licence, permit or certificate or a requirement imposed by order; (“exigence établie en vertu de la présente loi”)

(2) Clauses (a) to (c) of the definition of “food” in section 2 of the Act are repealed and the following substituted:

- (a) liquor as defined in subsection 1 (1) of the *Liquor Licence and Control Act, 2019*, and
- (b) any product that the regulations specify is not included in this definition.

(3) The definition of “Minister” in section 2 of the Act is repealed and the following substituted:

“Minister” means the Minister of the Ministry of Agriculture, Food and Agribusiness or such other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

(4) The definition of “regulatable activity” in section 2 of the Act is amended by adding the following paragraph:

- 3.1 The raising of animals for use of products of the animal as food.

2 Subsection 3 (1) of the Act is amended by striking out “a delegate under section 49” at the end and substituting “a delegated authority”.

3 (1) Section 12 of the Act is amended by adding the following clauses:

- (j.1) requiring that a test or analysis that is required under clause (j) take place at a laboratory approved by the director and be done using a method approved by the director;
- (j.2) prescribing purposes for which a sample or test result can be used;

(2) Section 12 of the Act is amended by adding the following subsection:

Use of samples, milk

(2) Any sample that is collected pursuant to a regulation made under section 12 and any test results from such sample can be used in place of any sample or test that is required or permitted under the *Milk Act*.

4 Section 41 of the Act is repealed and the following substituted:

Administrative penalties

General administrative penalties

41 (1) Subject to subsection (2) and except with respect to a contravention or non-compliance set out in subsection (3), if the director is satisfied that a person is contravening or not complying with or has contravened or not complied with a requirement established under this Act the director may, by order and subject to the regulations made under section 41.2, impose an administrative penalty on the person in accordance with sections 41 to 41.2 and the regulations, if any, made under section 41.2.

Purposes

(2) An administrative penalty may only be imposed under subsection (1) for the following purposes:

- 1. To promote compliance with the requirements established under this Act.
- 2. To prevent a person or entity from deriving, directly or indirectly, any economic benefit as a result of contravening or failing to comply with a requirement established under this Act.
- 3. To protect the quality and safety of food, agricultural or aquatic commodities and agricultural inputs.

Mandatory administrative penalties

(3) If the director is satisfied that a person is contravening or not complying with or has contravened or not complied with any of the following, the director shall, by order, impose an administrative penalty on the person in accordance with sections 41 to 41.2 and the regulations, if any, made under section 41.2:

- 1. A provision of the Act that is prescribed in a regulation made under section 41.2.
- 2. A provision of the regulations that is prescribed in a regulation made under section 41.2.
- 3. A requirement established under this Act of a type, nature or class prescribed by or described in the regulations made under section 41.2.

Other regulatory measures

(4) An administrative penalty may be imposed alone or in conjunction with any other regulatory measure provided by this Act, including an order for preventative measures issued under section 31, a compliance order issued under section 32 or the amendment, suspension or revocation of a licence.

Content of order

(5) An order imposing an administrative penalty under this section, shall be in writing and shall include the following information:

1. The amount of the penalty and the payment requirements.
2. The reasons for the order including the details of the contravention or failure to comply.
3. Information indicating that the person can request a review by the director about the order and informing the person about the process for requesting such a review.
4. Any information prescribed in a regulation made under section 41.2.

Limitation

(6) The director shall not issue an order under subsection (1) or (3) more than two years after the day the director became aware of the contravention or failure to comply.

Review requested

(7) If a person requests a review in writing within the time prescribed by the regulations made under section 41.2 after receiving an order under this section, the director shall conduct a review with respect to,

- (a) whether the contravention or failure to comply occurred; and
- (b) if the amount of the penalty has not been prescribed, whether the amount of the penalty is justified in the circumstances.

Statutory Powers Procedure Act

(8) The *Statutory Powers Procedure Act* does not apply to a review conducted under subsection (7).

Director's decision

(9) Following a review, the director may confirm, revoke or vary the order; however, the director shall not change the amount of the penalty unless the director considers the amount unreasonable and the amount has not been prescribed.

Appeal to Tribunal

(10) A person may appeal the decision made under subsection (9) to the Tribunal by serving a written notice on the director and the Tribunal within the time prescribed by the regulations made under section 41.2 after receiving notice of the director's decision, in which case the decision is stayed until the disposition of the matter.

Tribunal's decision

(11) Following an appeal, the Tribunal may confirm, revoke or vary the order; however, the Tribunal shall not change the amount of the penalty unless the Tribunal considers the amount unreasonable and the amount has not been prescribed.

Effect of paying penalty

(12) If a person pays the administrative penalty in accordance with the terms of the order, or if the order is varied, in accordance with the terms of the varied order, they cannot be charged with an offence under this Act in respect of the same contravention or failure to comply.

Amount of administrative penalty

41.1 (1) An administrative penalty imposed under section 41 shall be determined as follows:

1. With respect to an order made under subsection 41 (1), the amount of the administrative penalty shall not exceed \$15,000 for each day or part of a day on which the contravention or failure occurs or continues.
2. With respect to an order made under subsection 41 (3), the amount of the administrative penalty shall be,
 - i. the amount specified in or determined in accordance with a regulation made under section 41.2, or
 - ii. if the regulations specify a range of amounts, the amount shall be within that range, subject to such conditions as may be prescribed by the regulations made under section 41.2.

Same

(2) Despite subsection (1), if a person has profited as a result of a contravention or failure to comply, the amount of the administrative penalty may include the amount earned in profit.

Absolute liability

- (3) An order made under section 41 imposing an administrative penalty against a person applies even if,
- (a) the person took all reasonable steps to prevent the contravention or failure to comply on which the order is based; or
 - (b) at the time of the contravention or failure to comply, the person had an honest and reasonable belief in a mistaken set of facts that, if true, would have rendered the contravention or failure to comply innocent.

Payment

- (4) The debt owing pursuant to an administrative penalty is payable to,
- (a) the Crown in right of Ontario if the Minister appointed the director who imposed the penalty; or
 - (b) the delegated authority if a delegated authority appointed the director who imposed the penalty.

Proceeds

- (5) The following rules apply with respect to the proceeds from the payment of an administrative penalty:
1. If the administrative penalty was imposed by a director appointed by the Minister or by a delegated authority that is a Crown agency, the proceeds shall be placed in the Consolidated Revenue Fund.
 2. If the administrative penalty was imposed by a director appointed by a delegated authority that is not a Crown agency, the proceeds shall be placed in the account of the delegated authority.

Enforcement of administrative penalties

- (6) If a person fails to pay an administrative penalty imposed under section 41 in accordance with the terms in the order imposing the penalty, or if the order is varied in accordance with the terms of the varied order, the director may take one or more of the following actions:
1. File the order with the Superior Court of Justice and the order will be enforced as if it were an order of the court.
 2. By order, suspend any licence, certificate or permit that has been issued to the person under the Act until the penalty is paid and there is no appeal to the director or Tribunal of such suspension.
 3. Refuse to renew any licence, certificate or permit until the penalty is paid and there is no appeal to the director or the Tribunal of such refusal.

Date of order

- (7) For the purposes of section 129 of the *Courts of Justice Act*, the day on which the order is filed with the court shall be deemed to be the date of the order.

Administrative penalties, regulations

41.2 The Minister may make regulations,

- (a) prescribing, specifying or designating anything that is described in sections 41 and 41.1 as prescribed, specified or designated in the regulations made under section 41.2;
- (b) specifying the form and content of orders with respect to administrative penalties;
- (c) specifying persons or classes of persons to whom a director shall not issue an order under section 41;
- (d) specifying the types of contraventions or failures to comply in respect of which, and the circumstances in which, a director shall not issue an order under subsection 41 (1);
- (e) governing mandatory administrative penalties for the purposes of subsection 41 (3), including,
 - (i) prescribing the provisions of this Act or the regulations that when contravened or not complied with give rise to mandatory administrative penalties, and
 - (ii) prescribing or describing the types, nature or classes of contravention or non-compliance with a requirement established under this Act that give rise to mandatory administrative penalties;
- (f) governing the determination of the amount of an administrative penalty, including criteria to be considered in making such a determination and providing for different amounts depending on when the penalty is paid;
- (g) setting a specific amount, prescribing the method for determining an amount or prescribing a range of amounts of an administrative penalty for the purpose of paragraph 2 of subsection 41.1 (1);
- (h) specifying the purposes for which a delegated authority may use amounts it collects for administrative penalties and requiring that the delegated authority pay all amounts that are not required for the specified purposes to the Minister or a separate account in the Consolidated Revenue Fund established by a regulation made under clause 53 (m);
- (i) providing for the apportioning of administrative penalties across more than one person;

- (j) prescribing the circumstances in which a person is not required to pay an administrative penalty; and
- (k) respecting any other matter necessary for the administration of a system of administrative penalties provided for by sections 41 to 41.2.

5 Subsection 43 (1) of the Act is amended by adding “or a delegated authority” after “the Minister”.

6 (1) Clauses 46 (3) (a), (b), (c) and (e) of the Act are repealed.

(2) Clause 46 (3) (g) of the Act is repealed and the following substituted:

- (g) the *Consumer Packaging and Labelling Act* (Canada), the *Feeds Act* (Canada), the *Fertilizers Act* (Canada), the *Food and Drugs Act* (Canada), the *Health of Animals Act* (Canada), the *Pest Control Products Act* (Canada), the *Plant Protection Act* (Canada), the *Safe Food for Canadians Act* (Canada) or the *Seeds Act* (Canada).

7 The Act is amended by striking out the heading “Part VI General” and substituting the following:

**PART VI
DELEGATED AUTHORITY**

8 Sections 47 to 49 of the Act are repealed and the following substituted:

Delegated authority

47 (1) If the requirements set out in sections 47 to 49 are met, the Minister may, by regulation,

- (a) subject to subsection (3), delegate the administration of specified provisions of this Act and the regulations for the purposes of this Act; and
- (b) designate an entity described in subsection (4) as a delegated authority for the purposes of this Act, to administer the delegated provisions.

Restrictions

(2) A delegation described in clause 1 (a) may be restricted to specified,

- (a) aspects or purposes of the specified provisions;
- (b) persons or classes of persons to whom the specified provisions apply;
- (c) foods, agricultural or aquatic commodities or agricultural inputs or class of such foods, commodities or inputs;
- (d) parts of Ontario; or
- (e) time periods.

Excepted provisions

(3) The following provisions of this Act shall not be delegated under clause 1 (a):

1. The provisions in this Part.
2. Any provisions setting out the powers and duties of the Minister, a director or an inspector under this Act with respect to a food safety risk.
3. Section 12, clauses 41.2 (c), (d), (h), (j) and (k), subsection 51 (6) and sections 53 and 55.

Eligibility as delegated authority

(4) An entity may be designated as a delegated authority if they are a legal entity and,

- (a) an organization or association;
- (b) a marketing board as defined in section 1 of the *Milk Act*;
- (c) a local board as defined in section 1 of the *Farm Products Marketing Act*;
- (d) a board of health as defined in subsection 1 (1) of the *Health Protection and Promotion Act*;
- (e) a corporation;
- (f) the Government of Canada or any agency of the Government of Canada;
- (g) the Government of any other province or any agency of it; or
- (h) a Crown agency.

More than one delegated authority

(5) Two or more entities may be prescribed by the Minister,

- (a) to administer different specified provisions of this Act; or
- (b) to administer the same specified provisions, but with respect to different specified,
 - (i) aspects or purposes,
 - (ii) persons or classes of persons,
 - (iii) foods, agricultural or aquatic commodities or agricultural inputs or classes of such foods, commodities or inputs,
 - (iv) parts of Ontario, or
 - (v) time periods.

More than one designated food or class of food

(6) The same entity may be prescribed by the Minister as a delegated authority to administer specified provisions with respect to more than one designated food, agricultural or aquatic commodity or agricultural input or class of such food, commodity or input.

Persons bound

(7) A provision that is delegated to a delegated authority under clause (1) (a) continues to bind all persons it would bind if it had not been delegated.

Delegating regulation authority

48 (1) If the Minister delegates to a delegated authority the administration of provisions which permit the Minister to make regulations and the delegated authority exercises this authority by making rules or instruments, the delegated authority shall,

- (a) provide a copy of the rules or instruments to the Minister and to any other person the Minister specifies;
- (b) publish the rules or instruments in a manner and at the time that the Minister specifies; and
- (c) revoke all, or any parts or provisions of, the rules or instruments at the request of the Minister.

Same

(2) A rule or instrument made by a delegated authority shall not be inconsistent with the Act and the regulations.

Non-application of Part III of *Legislation Act, 2006*

(3) Despite section 17 of the *Legislation Act, 2006*, if a delegated authority is a board or commission all the members of which are appointed by the Lieutenant Governor in Council and the delegated authority exercise the authority to make rules or instruments under the delegated provisions, Part III (Regulations) of the *Legislation Act, 2006* does not apply to such rules or instruments.

Conflict

(4) In the event of a conflict, this Act and the regulations made under it prevail over, the exercise of any power by the delegated authority, including over any rules or instruments made by the delegated authority pursuant to a delegation under this Part.

Requirements for administrative agreements

49 (1) An entity may be prescribed as a delegated authority only if the Minister and the entity have entered into an administrative agreement with respect to the delegated provisions.

Contents

(2) The administrative agreement shall include all matters that the Minister considers necessary for delegating the administration of the delegated provisions to the delegated authority, including, at a minimum,

- (a) requirements relating to the governance of the delegated authority, unless the delegated authority is a Crown agency, local board or marketing board;
- (b) requirements with which the delegated authority shall comply in connection with its administration of the delegated provisions, including a requirement for adequate insurance against liability arising out of that administration;
- (c) the financial terms of the delegation, including payments to the Crown, licence fees, royalties and reimbursements for transfer of assets; and
- (d) terms providing that the Minister may appoint persons to the board of directors of the delegated authority, unless the delegated authority is a Crown agency, local board or marketing board.

Amendment by Minister

(3) If the delegated authority is not a Crown agency, the Minister may unilaterally amend the administrative agreement, after giving the delegated authority the notice that the Minister considers reasonable in the circumstances.

Revocation of designation and restriction of delegation

49.1 (1) On giving notice that the Minister considers reasonable in the circumstances, the Minister may, by regulation, revoke the designation of the delegated authority made under clause 47 (1) (b) or restrict the delegation made under clause 47 (1) (a) if,

- (a) the Minister considers the revocation or restriction advisable in the public interest; or
- (b) the delegated authority has failed to comply with this Act, the regulations, other applicable law or the administrative agreement, and
 - (i) the Minister has given the delegated authority an opportunity to remedy the default within the period that the Minister considers reasonable under the circumstances, and
 - (ii) the delegated authority has failed to remedy the default to the Minister's satisfaction within that period.

On request

(2) The Minister may, by regulation, revoke the designation of the delegated authority made under clause 47 (1) (b) or restrict the delegation made under clause 47 (1) (a) on terms that the Minister considers advisable in the public interest if the delegated authority requests the revocation or restriction.

Transition

(3) A regulation that revokes a designation or restricts or otherwise changes the scope of a delegation may provide for any transitional matter necessary for the effective implementation of the revocation or restriction and such regulation may,

- (a) address any administrative or financial matters with respect to the delegated authority;
- (b) provide for the transfer or disposal of assets of the delegated authority; or
- (c) provide for such other matters the Minister considers advisable.

Powers and duties

Duties to administer delegated provisions

49.2 (1) A delegated authority shall administer its delegated provisions in accordance with this Act and the administrative agreement and shall comply with this Act, the regulations, other applicable law and the administrative agreement.

Duty to appoint director

- (2) A delegated authority shall,
- (a) appoint one or more directors for the purposes of administering and enforcing the delegated provisions; and
 - (b) if the delegated authority appoints more than one director, the appointment shall specify the area of responsibility of each director.

Powers of inspector

- (3) A director appointed under subsection (2) shall have the powers of an inspector that are,
- (a) included in a delegated provision that the director has been appointed to administer, subject to the exemptions and limitations that are set out in the delegated provision or the appointment of the director; and
 - (b) specified in the appointment.

Duty to advise the Minister

- (4) The delegated authority shall promptly inform and advise the Minister with respect to,
- (a) any material fact that could affect the delegated authority's ability to perform its duties under this Act or the regulations; or
 - (b) any urgent or critical matter that is likely to require action by the Minister to ensure that the administration of the delegated provisions is carried out properly.

Same

(5) The delegated authority shall advise or report to the Minister on any matter that the Minister refers to it and that relates to this Act or the administration of the delegated provisions.

Duty to report

- (6) Within one year of the effective date of its designation under the Act, each year after that and at any other time the Minister requires, a delegated authority shall provide a report to the Minister that is in a form acceptable to the Minister and that sets out,
- (a) the delegated authority's activities in respect of the Act and the delegated provisions that have been delegated to it;

- (b) the delegated authority's financial affairs in respect of the Act and the delegated provisions that have been delegated to it; and
- (c) such other information as the Minister may require.

Powers and duties under delegated provisions

(7) The delegated authority is entitled to exercise the powers and shall perform the duties delegated to it, subject to any restrictions imposed under subsection 47 (2).

Court order to enforce orders

(8) If an order is issued by a person exercising an authority under a delegated provision and the person subject to the order fails to comply with that order, the delegated authority may apply to the Superior Court of Justice for an order requiring the person who has not complied to comply with the order.

Provision of services in French

49.3 (1) A person has the right to communicate in French with and to receive available services in French from the delegated authority.

Board to ensure

(2) The board of directors of the delegated authority shall take all reasonable measures and make all reasonable plans to ensure that persons may exercise the right to communicate in French and receive services in French given by this section.

Limitation

(3) The right to communicate in French and receive services in French given by this section is subject to the limits that are reasonable in the circumstances.

Definition

(4) In this section,

“service” means any service or procedure that is provided to a person by the delegated authority in administration of the delegated provisions and includes responding to inquiries from members of the public and any other communications for the purpose of providing the service or procedure.

Accessibility for Ontarians with Disabilities Act, 2005

49.4 The *Accessibility for Ontarians with Disabilities Act, 2005* applies to a delegated authority as though it were an organization providing services for the purposes of that Act.

Forms and fees

49.5 (1) A delegated authority may,

- (a) establish forms related to the administration of its delegated provisions and provide for their content;
- (b) set and collect fees, costs or other charges related to the administration of the delegated provisions, in accordance with processes and criteria established by the delegated authority and approved by the Minister; and
- (c) make rules governing the payment of the fees, costs and charges described in clause (b).

Setting fees

(2) In setting the fees, costs and charges described in clause (1) (b), the delegated authority may, subject to the approval of the Minister, specify the amounts or the method for determining the amounts.

Publication of fee schedule

(3) The delegated authority,

- (a) shall publish the fees, costs and charges, the processes and criteria and the rules on its website and in any other way described in the administrative agreement; and
- (b) may publish them in any other format the delegated authority considers advisable.

No changes to objects or purposes

49.6 The delegated authority shall not make any changes to its objects or purposes, with respect to food safety and quality, unless the Minister's written approval is obtained in advance.

Application, not Crown agency

49.7 (1) This section does not apply where the delegated authority is a Crown agency.

Powers re employees

(2) The delegated authority may, subject to the administrative agreement, employ or retain the services of any qualified person to carry out any of its powers or duties relating to the administration of the delegated provisions.

Not Crown employees

(3) The following persons are not employees of the Crown and shall not hold themselves out as such:

1. Persons who are employed or whose services are retained under subsection (2).
2. Members, officers and agents of the delegated authority.
3. Members of the board of directors of the delegated authority, including those appointed by the Minister.

Not Crown agency

(4) Despite the *Crown Agency Act*, the delegated authority is not an agent of the Crown for any purpose and shall not hold itself out as such.

Same

(5) The following persons are not agents of the Crown and shall not hold themselves out as such:

1. Persons who are employed or whose services are retained under subsection (2).
2. Members, officers and agents of the delegated authority.
3. Members of the board of directors of the delegated authority, including those appointed by the Minister.

Not public money

(6) The delegated authority is not a public entity and the money that it collects in carrying out the administration of its delegated provisions is not public money within the meaning of the *Financial Administration Act*.

Audit by Auditor General

(7) The Auditor General appointed under the Auditor General Act may conduct an audit of the delegated authority, other than an audit required under the *Not-for-Profit Corporations Act, 2010*.

Access to records and information

(8) When the Auditor General conducts an audit under subsection (1), the delegated authority shall give the Auditor General and employees of the Auditor General access to all records and other information required to conduct the audit.

Application, not Crown agency, marketing board, local board

49.8 (1) This section does not apply if the delegated authority is a Crown agency, marketing board or local board.

Minister's authority to appoint administrator

(2) The Minister may, by order, appoint an individual as an administrator of a delegated authority for the purposes of assuming control of it and responsibility for its activities with respect to the delegated provisions if the Minister is of the opinion that it is advisable to do so in the public interest because at least one of the following conditions is satisfied:

1. The exercise of the power is necessary to prevent serious harm to the health or safety of the public.
2. An event of force majeure has occurred.
3. The delegated authority is facing a risk of insolvency.
4. The number of members of the board of directors of the delegated authority is insufficient for a quorum.

Notice of appointment

(3) The Minister shall give the board of directors of the delegated authority the notice that the Minister considers reasonable in the circumstances before appointing the administrator.

Immediate appointment

(4) Subsection (3) does not apply if there are not enough members on the board of directors of the delegated authority to form a quorum.

Term of appointment

(5) The appointment of the administrator is valid until the Minister makes an order terminating it or revokes the order made under subsection (2).

Powers and duties of administrator

(6) Unless the order appointing the administrator provides otherwise, the administrator has the exclusive right to exercise all the powers and perform all the duties of the officers and members of the board of directors of the delegated authority.

Same

(7) In the order appointing the administrator, the Minister may specify the administrator's powers and duties and conditions governing them.

Right of access

(8) The administrator has the same rights as the board of directors of the delegated authority in respect of the delegated authority's documents, records and information.

Report to Minister

(9) The administrator shall report to the Minister as the Minister requires.

Minister's directions

(10) The Minister may issue directions to the administrator with regard to any matter within the administrator's jurisdiction, and the administrator shall carry them out as soon as reasonably possible.

Status of board during administrator's tenure

(11) On the appointment of an administrator under subsection (2), the members of the board of directors of the delegated authority cease to hold office, unless the order provides otherwise.

Same

(12) During the term of the administrator's appointment, the powers of any member of the board of directors of the delegated authority who continues to hold office are suspended, unless the order provides otherwise.

Conflict

49.9 In the event of a conflict, this Act and the regulations made under it prevail over,

- (a) the administrative agreement;
- (b) the delegated authority's constating documents, by-laws and resolutions, unless the delegated authority is a marketing board within the definition in section 1 of the *Milk Act* or a local board; and
- (c) the *Not-for-Profit Corporations Act, 2010*, the *Corporations Information Act* or a regulation made under either of those Acts.

Indemnification of the Crown

49.10 A delegated authority that is not a Crown agency shall indemnify the Crown in accordance with the administrative agreement, in respect of damages and costs incurred by the Crown for any act or omission of the delegated authority or its members, officers, directors, employees or agents in the execution or intended execution of their powers and duties under this Act, the regulations, a Minister's order or the administrative agreement.

Regulations

49.11 The Minister may make regulations respecting any matter that Minister considers advisable to carry out effectively the intent and purpose of this Part, including, prescribing, specifying, delegating or designating anything that is described as prescribed, specified, delegated or designated in the regulations or described as prepared or done in accordance with the regulations in this Part.

Transition**Previous administration**

49.12 (1) Nothing done by a delegated authority designated under clause 47 (1) (b) in administering the provisions delegated to it under clause 47 (1) (a),

- (a) invalidates anything that was done under the delegated provisions before the day on which the regulation delegating the provisions comes into force, including, the making of regulations and appointments and the issuing of licences and certifications;
- (b) affects inspections, investigations or proceedings begun under the delegated provisions before the day on which the regulation delegating the provisions comes into force; or
- (c) invalidates anything that was done by an administrative authority designated under the *Milk Act*, with respect to the administration and enforcement of the designated legislation under that Act, before the day on which the regulation delegating the provisions comes into force, if the administrative authority under the *Milk Act* is designated as a delegated authority under this Act.

Milk Act

(2) If the Minister designates a delegated authority under this Act that was previously an administrative authority under the *Milk Act*, the Minister may make regulations providing for transitional matters as the Minister considers necessary or advisable

to address any transitional matters arising as a result of the repeal of specified provisions of the *Milk Act* or the revocation of specified provisions of regulations made under that Act.

Regulations

(3) The Minister may make regulations, governing any transitional matters with respect to this Part as the Minister considers necessary or advisable to facilitate the designation as a delegated authority any entity that was previously delegated under a different Act.

Same

(4) A regulation made under this section may,

- (a) establish a transition period before the repeal of specified provisions of this Act or any other prescribed Act or the revocation of specified provisions of regulations made under this Act or any other prescribed Act, during which the application of those provisions will be phased out;
- (b) govern the continuation or conclusion of hearings commenced under the *Milk Act* or a regulation made under that Act before the day a specified provision of the Act or regulation is repealed or revoked; or
- (c) govern other transitional matters that may arise due to the anticipated repeal of specified provisions of this Act or any other prescribed Act or the revocation of specified provisions of regulations made under this Act or any other prescribed Act.

9 The Act is amended by adding the following heading before section 50:

PART VII GENERAL

10 Section 50 of the Act is repealed and the following substituted:

Crown liability

No personal liability

50 (1) No cause of action arises against the following persons for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person's powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions:

1. Any current or former member of the Executive Council.
2. A current or former Deputy Minister of the Ministry.
3. A current or former member of the Tribunal.
4. A current or former Crown appointee.
5. A person who is assisting or has assisted an inspector in exercising any powers under sections 15 to 25 or 36, if the inspector is a public servant employed under Part III of the *Public Service of Ontario Act, 2006*.
6. A current or former employee or agent of the Crown.

Crown remains vicariously liable

(2) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (1) does not relieve the Crown of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in subsection (1).

No liability for acts or omissions of others

(3) No cause of action arises against the Crown or any person specified in subsection (1) for an act or omission of a person other than the Crown or a person specified in that subsection, if the act or omission is related, directly or indirectly, to the exercise or performance, or intended exercise or performance, of a power, duty or function under this Act.

Employment, etc. with delegated authority

(4) If a person who is an employee or agent of the Crown is employed in or assigned to or otherwise performs duties directly for the delegated authority, the person is deemed to be an employee of the delegated authority and not an employee or agent of the Crown specified in subsection (1) in relation to the person's acts or omissions arising from the employment, assignment or performance for the purposes of this section and sections 50.1 and 50.2 as well as any claim for vicarious liability.

Proceedings by Crown not prevented

(5) This section does not apply with respect to proceedings brought by the Crown.

Delegated authority liability

No personal liability

50.1 (1) No cause of action arises against any current or former members, officers, directors, employees or agents of the delegated authority or administrator appointed under section 49.8 for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person's powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions.

Delegated authority vicariously liable

(2) Subsection (1) does not relieve the delegated authority of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in subsection (1).

Proceedings by Crown not prevented

(3) This section does not apply with respect to proceedings brought by the Crown.

Proceedings barred

50.2 (1) No proceeding shall be commenced,

- (a) against any person specified in subsection 50 (1) in respect of a matter referred to in that subsection;
- (b) against the Crown or any person specified in subsection 50 (1) in respect of a matter referred to in subsection 50 (3); or
- (c) against any person specified in subsection 50.1 (1) in respect of a matter referred to in that subsection.

Same

(2) Subsection (1) does not apply with respect to an application for judicial review or any proceeding that is specifically provided for under this Act, but does apply with respect to any other court, administrative or arbitral proceeding claiming any remedy or relief, including specific performance, an injunction, declaratory relief, a remedy in contract, restitution, unjust enrichment or tort, a remedy for breach of trust or fiduciary obligation or any equitable remedy, enforcement of a judgment, order or award made outside Ontario or any form of compensation or damages including loss of revenue or profit.

Proceedings by Crown not prevented

(3) This section does not apply with respect to proceedings brought by the Crown.

Agreements with Canada, etc.

50.3 The Minister may enter into agreements with the Government of Canada, any agency of it, any other province of Canada or agency of it, any other Minister of the Government of Ontario, any agency of that government, any individual, partnership, organization, association, marketing board, board of health as defined in subsection 1 (1) of the *Health Protection and Promotion Act* or corporation providing for,

- (a) the more efficient carrying out within Ontario of the purpose and intent of this Act;
- (b) the exercise by the party contracting with the Minister, on behalf of the Government of Ontario, of powers or duties under this Act of the Minister, a director, an inspector or any person authorized to act in any way on behalf of any of them; or
- (c) the payment of money required for the exercise by the party contracting with the Minister of powers or duties under clause (b).

11 (1) Subsection 51 (1) of the Act is amended by striking out “The Minister may require any person to reimburse the Minister or a delegate” at the beginning and substituting “The Minister or the delegated authority may require any person to reimburse the Minister or the delegated authority”.

(2) Subsection 51 (2) of the Act is amended by striking out “The Minister may require any person described in subsection (3) to reimburse the Minister or a delegate” at the beginning and substituting “The Minister or the delegated authority may require any person described in subsection (3) to reimburse the Minister or the delegated authority”.

(3) Subsection 51 (5) of the Act is amended by striking out “The Minister” at the beginning and substituting “The Minister or the delegated authority”.

(4) Subsection 51 (6) of the Act is repealed and the following substituted:

Regulations

(6) The Minister may make regulations requiring a delegated authority that receives a reimbursement under this section to pay to the Minister any amount that was not required for the purposes of that reimbursement.

12 (1) Clause 52 (g) of the Act is repealed and the following substituted:

(g) requiring that a person, who is required to pay the fees that are mentioned in clause (a), (b) or (c) in respect of provisions delegated under clause 47 (1) (a) and that are specified in the regulations, shall pay them to the delegated authority to whom the administration and enforcement of the delegated provisions is delegated;

(2) Clause 52 (h) of the Act is amended by striking out “delegate” wherever it appears and substituting in each case “delegated authority”.

13 Clause 53 (a) of the Act is amended by adding “or matters that are described as prescribed by the regulations made under section 41.2 or described in Part VI as prescribed” at the end.

Consequential amendments

Health Protection and Promotion Act

14 Section 18 of the *Health Protection and Promotion Act* is amended by striking out “*Milk Act*” wherever it appears and substituting in each case “*Food Safety and Quality Act, 2001*”.

Commencement

15 (1) Except as otherwise provided in this section, this Schedule comes into force on a day to be named by order of the Lieutenant Governor in Council.

(2) Subsection 1 (3) comes into force on the day the *Protecting Ontario’s Food Independence Act, 2026* receives Royal Assent.

**SCHEDULE 5
MILK ACT**

1 (1) The definitions of “administrative agreement”, “administrative authority”, “cream transfer station”, “designated administrative authority”, “designated legislation”, “distributor”, “field-person”, “fluid milk products”, “Grade A milk”, “industrial milk”, “milk transfer station”, “plant”, “reconstituted milk” and “Tribunal” in section 1 of the *Milk Act* are repealed.

(2) The definition of “Director” in section 1 of the Act is repealed and the following substituted:

“Director” means the Director appointed under this Act; (“directeur”)

(3) The definitions of “milk product”, “Minister”, “plan” and “regulated product” in section 1 of the Act are repealed and the following substituted:

“milk product” means any product processed or derived in whole or in part from milk, including already processed milk, and includes cream, butter, cheese, cottage cheese, condensed milk, milk powder, dry milk, ice cream, ice cream mix, casein, malted milk, sherbet, milk protein concentrate and such other products as are designated as milk products in the regulations; (“produit du lait”)

“Minister” means the Minister of the Ministry of Agriculture, Food and Agribusiness or such other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

“plan” means a plan that is in force under this Act to provide for the control and regulation of the producing or marketing or both of milk, the marketing of milk products or any combination thereof; (“plan”)

“regulated product” means milk or milk products, or any class of milk or milk products, in respect of which a plan is in force; (“produit réglementé”)

(4) The definition of “processing” in section 1 of the Act is amended by striking out “or fluid milk products” and “or cream” wherever they appear.

(5) The definition of “processor” in section 1 of the Act is amended by striking out “or fluid milk products” at the end.

(6) The definition of “producer” in section 1 of the Act is amended by striking out “cream or cheese” at the end.

2 (1) Clause 2 (b) of the Act is amended by striking out “cream or cheese, or any combination thereof”.

(2) Section 2 of the Act is amended by striking out “and” at the end of clause (b), by adding “and” at the end of clause (c) and by adding the following clause:

(d) to provide for the control and regulation in any or all respects of the marketing within Ontario of milk products, including the prohibition of such marketing in whole or in part.

(3) Section 2 of the Act is amended by adding “and” at the end of clause (b) and by repealing clause (c).

3 The Act is amended by striking out the heading “Administration and Enforcement”.

4 Sections 2.1 to 2.11 of the Act are repealed.

5 The Act is amended by adding the following section immediately after the heading “General”:

Director

2.1 The Minister may appoint a Director who shall exercise the powers and perform the duties that are conferred or imposed on the Director under the Act.

6 (1) Clause 3 (2) (d) of the Act is repealed and the following substituted:

(d) require persons engaged in producing or marketing a regulated product to register the business contact information and description of the business with the Commission or the marketing board;

(2) Clause 3 (2) (f) of the Act is amended by adding “equipment” after “documents”.

(3) Clause 3 (2) (f.1) of the Act is repealed.

(4) Clause 3 (2) (j) of the Act is amended by striking out “or field-person”.

(5) Subsection 3 (5) of the Act is amended by striking out “other than clause 2 (f.1)”

7 Section 4 of the Act is repealed and the following substituted:

Powers of inspectors

4 A person appointed by the Commission or a marketing board to inspect the books, records, documents, equipment and premises of persons engaged in the producing or marketing of a regulated product may,

- (a) enter and inspect any premises or conveyance used for the producing or marketing of a regulated product and inspect anything relevant to the inspection found in the premises or conveyance;
- (b) stop any conveyance that they believe may contain any regulated product and inspect the conveyance and any regulated product found in it; or
- (c) obtain a sample of any regulated product at the expense of the owner for the purpose of making an inspection of it.

8 Subsection 5 (1) of the Act is amended by striking out “cream or cheese, or any combination thereof”.

9 (1) Clause 6 (1) (a) of the Act is repealed and the following substituted:

- (a) establishing, amending and revoking plans for the control and regulation of the producing or marketing within Ontario or any part thereof of milk or the marketing of milk products or any combination thereof, and constituting marketing boards to administer such plans;

(2) Clause 6 (1) (c) of the Act is repealed and the following substituted:

- (c) prescribing the powers, duties and functions of a marketing board constituted under clause (a);

(3) Clause 6 (2) (b) of the Act is amended by striking out “milk, cream or cheese” and substituting “milk or milk products”.

(4) Section 6 of the Act is amended by adding the following subsection:

Not a Crown agency

(4.1) A marketing board is not a Crown agency and shall not hold itself out as such.

(5) Section 6 of the Act is amended by adding the following subsections:

Eligibility as delegated authority

(4.2) A marketing board may be designated as a delegated authority under the *Food Safety and Quality Act, 2001* to administer the delegated provisions of that Act.

Same, fees

(4.3) A marketing board designated as a delegated authority under the *Food Safety and Quality Act, 2001* may use any class of licence fees and any other money payable to it for the purposes of paying the board’s expenses for costs incurred as a delegated authority.

10 Section 6.1 of the Act is repealed and the following substituted:

Regulations

6.1 Subject to the Minister’s approval, the Commission may make regulations amending plans for the control and regulation of the producing or marketing within Ontario or any part thereof of milk or the marketing of milk products or any combination thereof, and constituting marketing boards to administer those plans.

11 (1) Paragraph 5 of subsection 7 (1) of the Act is amended by striking out “or” at the end of subparagraph (i) and by adding the following subparagraphs:

- iii. where the applicant or licensee has received an administrative penalty under the *Food Safety and Quality Act, 2001*,
or
- iv. where the applicant or licensee has failed to comply with or contravened any provision of the *Food Safety and Quality Act, 2001* that is administered by a marketing board as the delegated authority;

(2) Subsection 7 (1) of the Act is amended by adding the following paragraphs:

- 15.1 requiring a marketing board to furnish specified information relating to the allocation of milk for processing to entities that may be affected by the allocation;

.
- 37.1 governing the sampling and testing of any regulated product, including the use of samples collected under the *Food Safety and Quality Act, 2001* in any sampling and testing;
- 37.2 establishing, setting and governing fees payable for sampling or testing of any regulated product;

.
- 38.1 authorizing a marketing board to detain and dispose of any regulated product produced or marketed in violation of this Act or the regulations;

.
- 41.1 designating as a milk product any product processed or derived in whole or in part from milk;

41.2 establishing classes of milk or milk products;

(3) Paragraph 42 of subsection 7 (1) of the Act is amended by striking out “milk or cream” and substituting “milk or milk products”.

(4) Subsection 7 (1) of the Act is amended by adding the following paragraphs:

43.1 prescribing bases on which milk and milk products received at a plant shall be paid for the purposes of section 12;

.

49.1 providing for deductions from money payable to a producer any money owed by the producer under the *Food Safety and Quality Act, 2001* to a marketing board designated as a delegated authority under that Act;

(5) Section 7 of the Act is amended by adding the following subsections:

Adoption of documents, etc. in regulations

(13) A regulation made under subsection (1) may adopt by reference, in whole or in part, with such changes as the Commission considers necessary, any document, code, formula, standard, protocol or procedure created or approved by the Canadian Dairy Commission and may require compliance with any document so adopted.

Rolling incorporation

(14) The power to adopt by reference and require compliance with a document, code, formula, standard, protocol or procedure in subsection (13) includes the power to adopt it as it may be amended from time to time.

12 Sections 8 and 9 of the Act are repealed and the following substituted:

Production of records, etc.

8 Upon the request of an officer of the Commission, a marketing board or of a person appointed to carry out any of the duties referred to in clause 3 (2) (f), a person shall,

- (a) provide such books, records and documents in respect of a regulated product as requested;
- (b) permit the inspection of and supply extracts of a regulated product as requested; and
- (c) permit the inspection of such equipment, conveyance or premises as requested.

Powers on inspection

Entry onto conveyance or premises

9 (1) A person authorized under this Act to enter any conveyances or premises may do so at any reasonable time.

Dwellings

(2) Subsection (1) does not authorize a person to enter a premises or part of a premises that is being used as a dwelling without a warrant, unless notice of the inspection has been provided to the occupant and the occupant consents to the entry.

Warrants

(3) A person appointed to carry out any of the duties referred to in clause 3 (2) (f) may apply, without notice, to a provincial judge or a justice of the peace to obtain a warrant to,

- (a) enter premises that are used as a dwelling; or
- (b) enter any premises or conveyance,
 - (i) if entry to the premises or conveyance has been refused, or
 - (ii) if there are reasonable grounds to believe that entry to the premises or conveyance is likely to be refused.

Application, dwelling

(4) An application for a warrant to enter a premises that is used as a dwelling shall indicate in the application that the application relates to a premises that is used as a dwelling.

Obstruction

(5) No person shall hinder or obstruct any person who is exercising a power or carrying out a duty under this Act or refuse to answer questions on matters relevant to the exercise of that power or the carrying out of that duty or provide the person exercising that power or carrying out that duty with false or misleading information.

Certificate of appointment

(6) The production by any person of a certificate of their appointment by the Commission or a marketing board under this Act purporting to be signed by the chair and secretary of the Commission or the marketing board shall be accepted by any person as proof, in the absence of evidence to the contrary, of the appointment.

13 Sections 10 and 11 of the Act are repealed and the following substituted:

Producer-processor

10 (1) Any person who is a producer and a processor of a regulated product is entitled, in their respective capacities as a producer and as a processor, to all the rights and privileges and is subject to all the duties and obligations of a producer and of a processor.

Same

- (2) Any person who is a producer and a processor of a regulated product is deemed to have,
- (a) received, in their capacity as a processor, any regulated product they produced in their capacity as a producer and processed in their capacity as a processor; and
 - (b) contracted, in their capacity as a producer and as a processor, for the sale of such regulated product upon the condition that the regulations, orders, directions, agreements and awards and the renegotiated agreements and awards made under this Act apply.

Producer deemed to be a producer-processor

(3) If one or more producers, directly, through a corporation of which they are members or shareholders or through an agent, arranges for a processor to process, on their account, a regulated product that the producers produced, such producers are deemed to be producers and processors for the purposes of subsections (1) and (2).

Producer and person marketing regulated product

11 (1) Any person who is a producer and who is engaged in marketing a regulated product is entitled, in their respective capacities as a producer and as a person engaged in marketing the regulated product, to all the rights and privileges and is subject to all the duties and obligations of a producer and of a person engaged in marketing the regulated product.

Same

- (2) Any person who is a producer and who is engaged in marketing a regulated product is deemed to have,
- (a) received, in their capacity as a person engaged in marketing the regulated product, any regulated product they produced in their capacity as a producer; and
 - (b) contracted, in their capacity as producer and as a person engaged in marketing the regulated product, for the sale of such regulated product upon the condition that the regulations, orders, directions, agreements and awards and the renegotiated agreements and awards made under this Act apply.

Producer deemed to be a person marketing regulated product

(3) If one or more producers, directly, through a corporation of which they are members or shareholders or through an agent, arrange for a person engaged in marketing to market, on their account, a regulated product that the producers produced, such producers are deemed to be producers and persons who engage in marketing for the purposes of subsections (1) and (2).

14 The Act is amended by adding the following sections:

Basis of payment for milk and milk products

12 All milk and milk products received at a plant shall be paid for on the basis of the fat, proteins and other solids contained in the milk or on such other bases as may be prescribed in the regulations made under subsection 7 (1).

Scope of by-laws

12.1 Despite this or any other Act, no council of a local municipality shall by by-law require that milk products sold in the municipality be produced or processed in the municipality or in any other designated area.

15 Sections 13 to 20 of the Act are repealed.

16 Section 22 of the Act is repealed and the following substituted:

Injunction proceedings

22 (1) Despite any other remedy or any penalty, the contravention by any person of a provision of this Act or the regulations or any plan, order, direction, agreement or award made under this Act may be restrained by order of a judge of the Superior Court of Justice upon application without notice by the Crown in right of Ontario or a member of the Executive Council and the judge may make the order and it may be enforced in the same manner as any other order or judgment of the Superior Court of Justice.

Transition

(2) Any order of the Superior Court of Justice, that was issued before or after the coming into force of section 16 of Schedule 5 to the *Protecting Ontario's Food Independence Act, 2026* and that has not been set aside, ordering any of the following

restrictions is deemed to be an order issued under section 43 of the *Food Safety and Quality Act, 2001* in relation to that same restriction:

1. An order restraining a person from operating a plant without a licence.
2. An order restraining a person from hindering or obstructing an inspection by a field-person.
3. An order restraining a person from preventing an officer appointed by the Director from exercising their powers.

17 Section 23 of the Act is amended by striking out the following wherever they appear:

- (a) “or for milk or cream”;
- (b) “or of milk or cream”; and
- (c) “milk or cream”.

18 Section 25 of the Act is amended by striking out “milk, cream or cheese” and substituting “milk or milk products”.

19 The Act is amended by adding the following section:

Transition

Regulations

26.1 (1) The Minister may make regulations providing for such transitional matters as the Minister considers necessary or advisable,

- (a) with respect to or arising from the enactment of section 4 Schedule 5 of the *Protecting Ontario’s Food Independence Act, 2026*;
- (b) to address any transitional matters with respect to an administrative authority under this Act;
- (c) with respect to any permits or licenses issued under this Act;
- (d) with respect to any reconsiderations or appeals that were started under this Act before the day section 4 of Schedule 5 of the *Protecting Ontario’s Food Independence Act, 2026* came into force;
- (e) to allow for the continuation of any orders made under this Act;
- (f) to address any matters with respect to the sampling or testing of milk or milk products.

Administrative authority made regulations revoked

(2) Any regulation or instrument made by an administrative authority under section 19 as it read before section 15 of Schedule 5 of the *Protecting Ontario’s Food Independence Act, 2026* came into force, pursuant to the delegation of the authority to make such regulation under section 19.1 as it read before section 15 of Schedule 5 of the *Protecting Ontario’s Food Independence Act, 2026* came into force, is deemed to be revoked and of no force and effect.

20 Subsection 27 (2) of the Act is amended by adding “for which a plan is not in force” after “in relation to any milk product” in the portion before clause (a).

Ministry of Agriculture, Food and Rural Affairs Act

21 Clause 6 (1) (b) of the *Ministry of Agriculture, Food and Rural Affairs Act* is amended by striking out “a field-person appointed under the *Milk Act* or” at the beginning.

Commencement

22 (1) Except as otherwise provided in this section, this Schedule comes into force on a day to be named by order of the Lieutenant Governor in Council.

(2) Subsections 1 (3), 2 (1) and (2) and 6 (1), section 8, subsections 9 (1) to (4), section 10, subsections 11 (3) and (5) and sections 17, 18 and 20 come into force on the day the *Protecting Ontario’s Food Independence Act, 2026* receives Royal Assent.

**SCHEDULE 6
MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS ACT**

1 The definition of “Tribunal” in section 1 of the *Ministry of Agriculture, Food and Rural Affairs Act* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

2 Clause 6 (1) (b) of the Act is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

3 Subsection 14 (1) of the Act is repealed and the following substituted:

Tribunal continued

(1) The Agriculture, Food and Rural Affairs Appeal Tribunal is continued under the name of the Agriculture and Agri-Food Protection Tribunal in English and Tribunal de protection des secteurs agricole et agroalimentaire in French.

4 (1) The French version of subsection 16 (9) of the Act is amended by,

(a) striking out “Le Tribunal conclut l’audition” at the beginning and substituting “Le Tribunal conclut l’audience”; and

(b) striking out “remettre l’audition” and substituting “ajourner l’audience”.

(2) Subsection 16 (12) of the Act is repealed and the following substituted:

Notice of decision

(12) The Tribunal shall, within 30 days after the hearing is completed, send notice of its decision and reasons, if any, to all parties to the appeal and to the Minister.

(3) Section 16 of the Act is amended by adding the following subsection:

Same

(17) If a hearing is completed before the day subsection 4 (2) of Schedule 6 to the *Protecting Ontario’s Food Independence Act, 2026* comes into force and the Tribunal has not sent notice of its decision and reasons, if any, to all parties to the appeal and to the Minister by that day, the Tribunal shall have 30 days from the day the hearing is completed to send the notice.

CONSEQUENTIAL AMENDMENTS AND COMMENCEMENT

Agricultural Employees Protection Act, 2002

5 The definition of “Tribunal” in subsection 2 (1) of the *Agricultural Employees Protection Act, 2002* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Agricultural Products Insurance Act, 1996

6 The definition of “Tribunal” in section 1 of the *Agricultural Products Insurance Act, 1996* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Agricultural Tile Drainage Installation Act

7 The definition of “Tribunal” in section 1 of the *Agricultural Tile Drainage Installation Act* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Animal Health Act, 2009

8 The definition of “Tribunal” in section 2 of the *Animal Health Act, 2009* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Animals for Research Act

9 The definition of “Tribunal” in subsection 1 (1) of the *Animals for Research Act* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Commodity Board Members Act

10 The definition of “Tribunal” in subsection 1 (1) of the *Commodity Board Members Act* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Drainage Act

11 The definition of “Tribunal” in section 1 of the *Drainage Act* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Farm Implements Act

12 The definition of “Tribunal” in section 1 of the *Farm Implements Act* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Farm Registration and Farm Organizations Funding Act, 1993

13 The definition of “Tribunal” in section 1 of the *Farm Registration and Farm Organizations Funding Act, 1993* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Food Safety and Quality Act, 2001

14 The definition of “Tribunal” in section 2 of the *Food Safety and Quality Act, 2001* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” at the end and substituting “Agriculture and Agri-Food Protection Tribunal”.

Line Fences Act

15 Clause 20 (2) (b) of the *Line Fences Act* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Livestock Community Sales Act

16 The definition of “Tribunal” in section 1 of the *Livestock Community Sales Act* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Milk Act

17 The definition of “Tribunal” in section 1 of the *Milk Act* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Protecting Farmers from Non-Payment Act (Regulating Agricultural Product Dealers and Storage Operators), 2023

18 The definition of “Tribunal” in subsection 1 (1) of the *Protecting Farmers from Non-Payment Act (Regulating Agricultural Product Dealers and Storage Operators), 2023* is amended by striking out “Agriculture, Food and Rural Affairs Appeal Tribunal” and substituting “Agriculture and Agri-Food Protection Tribunal”.

Commencement

19 This Schedule comes into force on a day to be named by order of the Lieutenant Governor in Council.

**SCHEDULE 7
ONTARIO FOOD TERMINAL ACT**

1 (1) Subsection 1 (1) of the *Ontario Food Terminal Act* is amended by adding the following definition:

“Deputy Minister” means the deputy minister to the Minister; (“sous-ministre”)

(2) The definition of “Minister” in subsection 1 (1) of the Act is repealed and the following substituted:

“Minister” means the Minister of Agriculture, Food and Agribusiness or such other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

2 Section 2 of the Act is amended by adding the following subsection:

Crown agent

(2.1) The Board is an agent of the Crown in right of Ontario.

3 Section 7 of the Act is amended by striking out “such reserve funds as the Board may determine” and substituting “such reserve funds, including a capital fund, as the Board may determine” in the portion after clause (c).

4 The Act is amended by adding the following sections:

Crown liability

No personal liability

11.0.1 (1) No cause of action arises against any current or former member of the Executive Council, current or former Deputy Minister or any current or former employee or agent of the Crown for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person’s powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance of those powers, duties or functions.

Crown remains vicariously liable

(2) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (1) does not relieve the Crown of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in subsection (1).

No liability for acts or omissions of others

(3) No cause of action arises against the Crown or any person specified in subsection (1) for an act or omission of a person other than the Crown or a person specified in that subsection, if the act or omission is related, directly or indirectly, to the exercise or performance, or intended exercise or performance, of a power, duty or function under this Act.

Employment, etc. with the Board

(4) If a person who is an employee or agent of the Crown is employed in or assigned to or otherwise performs duties directly for the Board, the person is deemed to be an employee of the legal entity and not an employee or agent of the Crown specified in subsection (1) in relation to the person’s acts or omissions arising from the employment, assignment or performance for the purposes of this section and sections 11.0.2 and 11.0.3 as well as any claim for vicarious liability.

Proceedings by Crown not prevented

(5) This section does not apply with respect to proceedings brought by the Crown.

Board’s liability

No personal liability

11.0.2 (1) No cause of action arises against any current or former members of the Board, manager of the Terminal or officers and employees of the Board for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person’s powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions.

Board vicariously liable

(2) Subsection (1) does not relieve the Board of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in subsection (1).

Proceedings by Crown not prevented

(3) This section does not apply with respect to proceedings brought by the Crown.

Proceedings barred

11.0.3 (1) No proceeding shall be commenced,

- (a) against any person specified in subsection 11.0.1 (1) in respect of a matter referred to in that subsection;
- (b) against the Crown or any person specified in subsection 11.0.1 (1) in respect of a matter referred to in subsection 11.0.1 (3); or

(c) against any person specified in subsection 11.0.2 (1) in respect of a matter referred to in that subsection.

Same

(2) Subsection (1) does not apply with respect to an application for judicial review, but does apply with respect to any other court, administrative or arbitral proceeding claiming any remedy or relief, including specific performance, an injunction, declaratory relief, a remedy in contract, restitution, unjust enrichment or tort, a remedy for breach of trust or fiduciary obligation or any equitable remedy, enforcement of a judgment, order or award made outside Ontario or any form of compensation or damages including loss of revenue or profit.

Proceedings by Crown not prevented

(3) This section does not apply with respect to proceedings brought by the Crown.

Commencement

5 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protecting Ontario's Food Independence Act, 2026* receives Royal Assent.

(2) Section 4 comes into force on a day to be named by order of the Lieutenant Governor in Council.

**SCHEDULE 8
PROTECTING FARMERS FROM NON-PAYMENT ACT
(REGULATING AGRICULTURAL PRODUCT DEALERS AND STORAGE OPERATORS), 2023**

1 (1) The definition of “agreement to purchase or sell a designated product” in subsection 1 (1) of the *Protecting Farmers from Non-Payment Act (Regulating Agricultural Product Dealers and Storage Operators), 2023* is repealed.

(2) The definition of “agreement to store a designated product” in subsection 1 (1) of the Act is repealed.

(3) The definition of “dealer” in subsection 1 (1) of the Act is repealed and the following substituted:

“dealer” means a person, licensed or not, who engages, as a principal or agent, in the business of buying a designated product or accepting a designated product for the purpose of later sale, but does not include,

- (a) a person who buys a designated product for their own personal use, or
- (b) a producer who buys a designated product in the ordinary course of an agricultural operation; (“marchand”)

(4) The definition of “dealer’s licence” in subsection 1 (1) of the Act is repealed.

(5) The definition of “designated product” in subsection 1 (1) of the Act is repealed and the following substituted:

“designated product” means an agricultural product designated by regulation under subsection 2 (1); (“produit désigné”)

(6) The definition of “licensed dealer” in subsection 1 (1) of the Act is repealed.

(7) The definition of “licensed storage operator” in subsection 1 (1) of the Act is repealed.

(8) The definition of “Minister” in subsection 1 (1) of the Act is amended by striking out “Rural Affairs” and substituting “Agribusiness”.

(9) The definitions of “Part IV designated product”, “Part V designated product”, “Part VI designated product” and “Part VII designated product” in subsection 1 (1) of the Act are repealed.

(10) Subsection 1 (1) of the Act is amended by adding the following definition:

“requirement established under this Act” means a requirement imposed by this Act or by a regulation, a licence, a term or condition of a licence or a requirement imposed by order; (“exigence établie en vertu de la présente loi”)

(11) The definition of “storage operator’s licence” in subsection 1 (1) of the Act is repealed.

2 Subsection 2 (1) of the Act is repealed and the following substituted:

Designations for purposes of Parts IV to VII.1

(1) The Minister may, by regulation, designate an agricultural product as one or more of the following:

- 1. A Part IV designated product, being a product designated for the purposes of Part IV.
- 2. A Part V designated product, being a product designated for the purposes of Part V.
- 3. A Part VI designated product, being a product designated for the purposes of Part VI.
- 4. A Part VII designated product, being a product designated for the purposes of Part VII.
- 5. A Part VII.1 designated product, being a product designated for the purposes of Part VII.1.

3 Section 6 of the Act is repealed and the following substituted:

Agreement to purchase or sell a designated product

6 (1) A dealer shall not purchase a Part IV designated product from a producer, or sell or offer for sale a Part IV designated product on behalf of a producer, unless the dealer enters into a written agreement with the producer.

Prescribed buyers, sellers, persons

(2) A prescribed buyer shall not purchase a Part IV designated product from a prescribed seller, or sell or offer for sale a Part IV designated product on behalf of a prescribed person, unless the buyer enters into a written agreement with the seller or person, as the case may be.

Regulations

(3) An agreement to purchase or sell a Part IV designated product shall comply with the regulations, including any prescribed requirements with respect to timing, content or form.

4 The Act is amended by adding the following section:

Deferred payment

6.1 A dealer shall not refuse to purchase a Part IV designated product that is prescribed for the purposes of this section on the sole basis that the agreement does not provide for deferred payment for the designated product.

5 (1) Section 7 of the Act is amended by adding the following subsection:

Prescribed buyers, sellers, persons

(1.1) A prescribed buyer shall pay for the designated product they purchased from a prescribed seller, or sold on behalf of a prescribed person, at the time the payment becomes due.

(2) Subsection 7 (2) of the Act is amended by striking out “the dealer” and substituting “the dealer or prescribed buyer”.

(3) Subsection 7 (3) of the Act is repealed and the following substituted:

Timelines for payment

(3) Despite subsection (2), if permitted by the regulations, the dealer and producer, or the prescribed buyer and prescribed seller or prescribed person, as the case may be, may enter into an agreement that provides when payment for a designated product becomes due and, if they enter into such an agreement, the dealer or prescribed buyer shall pay for the designated product in accordance with the timeline set out in the agreement.

6 Subsections 10 (1) and (2) of the Act are amended by striking out “producer or” wherever it appears.

7 Section 11 of the Act is repealed and the following substituted:

Agreement to store a designated product

11 (1) A storage operator shall not store a Part V designated product on behalf of an owner of the designated product unless the storage operator enters into an agreement with the owner to do so.

Regulations

(2) An agreement to store a Part V designated product shall be in writing and shall comply with the regulations, including any prescribed requirements with respect to timing, content or form.

Weigh ticket

(3) If the regulations so specify with respect to a Part V designated product, a weigh ticket that satisfies the requirements in section 16 shall be considered to serve as the agreement required under subsection (1).

8 Section 12 of the Act is amended by striking out “producer or” wherever it appears.

9 Subsection 14 (2) of the Act is amended by adding “until the owner receives payment for the designated products or such other time as may be prescribed” at the end.

10 (1) Subsection 15 (1) of the Act is amended by striking out “the storage facility” and substituting “a storage facility” and by adding “except as otherwise provided in this section” at the end.

(2) Subsection 15 (2) of the Act is repealed and the following substituted:

Additional storage

(2) A licensed storage operator shall not store Part V designated products in a greater aggregate quantity than is permitted under the storage operator’s licence unless the storage operator has entered into an agreement to store the excess amount with the operator of another storage facility who is licensed under this Act or an Act of the Parliament of Canada.

(3) Section 15 of the Act is amended by adding the following subsections:

Other location by permit

(5) A licensed storage operator may apply to the Director for a permit to store Part V designated products at a storage facility that is not identified in the storage operator’s licence.

Same

(6) The Director may issue a permit if the prescribed application fee, if any, has been paid and the prescribed conditions, if any, are satisfied.

11 Sections 16 and 17 of the Act are repealed and the following substituted:

Proof of quantity stored

16 (1) When a Part V designated product is delivered to a storage operator for storage, the storage operator shall,

- (a) create a weigh ticket indicating the weight of the designated product that has been delivered for storage;
- (b) provide the weigh ticket to the owner of the designated product; and
- (c) keep a copy of the weigh ticket for the storage operator’s records.

Weigh ticket

(2) The weigh ticket shall include such information and meet such requirements as may be prescribed.

Storage receipt

(3) The storage operator shall provide a storage receipt to the owner of the Part V designated product whose product is being stored and shall keep a copy for the storage operator's records.

Same

(4) The storage receipt shall indicate the quantity of the designated product that is being stored and shall comply with any other requirements in the regulations, including requirements with respect to timing, content or form.

Same, updates to storage receipt

(5) If required by the regulations, the storage operator shall update the storage receipt in accordance with the regulations and provide the updates to the owner of the designated product.

Correspondence with receipts

(6) A storage operator shall have at all times in their facilities, in storage facilities arranged in accordance with subsection 15 (2) or in storage facilities authorized under a permit issued under subsection 15 (6), an amount of designated product of each kind and grade that is at least equal to the total amount of outstanding storage receipts the storage operator has issued.

Shortfall permit

17 (1) A licensed storage operator may apply to the Director for a permit to continue operating as a storage operator while in a shortfall position, despite subsection 16 (6).

Issuance

(2) The Director shall issue a shortfall permit if the prescribed application fee, if any, has been paid and the prescribed conditions, if any, are satisfied.

12 (1) Subsection 18 (1) of the Act is amended by striking out "such loss, damage or perils" and substituting "loss or damage caused by such perils".

(2) Subsection 18 (3) of the Act is amended by adding "or in a permit issued under subsection 15 (6)" at the end.

(3) Section 18 of the Act is amended by adding the following subsection:

Same, request by Director

(6) At the Director's request, a storage operator shall submit to the Director the information the Director specifies respecting the insurance of the Part V designated products that the storage operator stores and shall do so in accordance with the Director's request.

13 Section 20 of the Act is amended by striking out "Unless" at the beginning and substituting "Subject to section 76, unless".

14 (1) Subsection 22 (1) of the Act is repealed and the following substituted:

Trust constituted

(1) The prescribed amounts of monies that are owed to a dealer from the sale of a Part VI designated product, whether or not due or payable, or are received by or on behalf of a dealer on account of the sale of a Part VI designated product, shall constitute a trust fund for the following beneficiaries:

1. Producers of the Part VI designated product who are owed those amounts.
2. Prescribed sellers, if any, of the Part VI designated product who are owed those amounts.

(2) Subsection 22 (2) of the Act is amended by striking out "the producers" and substituting "the beneficiaries".

(3) Subclause 22 (6) (a) (ii) of the Act is amended by striking out "the producer" and substituting "each beneficiary".

(4) Subclause 22 (6) (b) (ii) of the Act is amended by striking out "each producer" and substituting "each beneficiary".

15 Section 23 of the Act is repealed and the following substituted:

Payments out of trust account

23 (1) A dealer may make payments out of the trust fund constituted under section 22 in respect of a Part VI designated product only for the purpose of paying beneficiaries described in subsection 22 (1) prescribed amounts in prescribed circumstances.

Dispute relating to sale price

(2) In the event of a dispute between a dealer of a Part VI designated product and a beneficiary described in subsection 22 (1) regarding the sale price of the product or any other prescribed matter, the dealer shall keep in the trust fund for the benefit of the beneficiary an amount equal to the sale price set out in the agreement between the dealer and the beneficiary until the dispute is resolved.

Improper purpose

(3) A dealer shall not make any payments out of the trust fund for any purpose other than the purpose set out in subsection (1).

16 (1) Subsection 24 (1) of the Act is amended by striking out “the producer of the Part VI designated products” at the end of the portion before paragraph 1 and substituting “a beneficiary described in subsection 22 (1)”.

(2) Subsection 24 (4) of the Act is amended by striking out “one of those persons” and substituting “any of those persons”.

17 Section 25 of the Act is repealed and the following substituted:

Waiver, etc., void

25 A written document provided by a producer or prescribed seller to a dealer is void if it purports to waive any rights under, or release the dealer from the requirements of, section 22 or 23.

18 (1) Subsections 26 (1) and (2) of the Act are amended by striking out “establish” wherever it appears and substituting in each case “establish or continue”.

(2) Subsection 26 (3) of the Act is amended by adding “or continues” after “establishes”.

(3) Subsection 26 (4) of the Act is amended by adding “or continued” after “established” in the portion before clause (a).

19 (1) Subsection 27 (1) of the Act is amended by adding “or continued” after “established” in the portion before clause (a).

(2) Clause 27 (1) (a) of the Act is amended by adding “or continue” after “establish”.

(3) Subsection 27 (2) of the Act is amended by adding “or continue” after “establish” and by adding “or continued” after “established”.

20 (1) Subsection 28 (1) of the Act is amended by adding “or continued” after “established”.

(2) Subsection 28 (2) of the Act is repealed and the following substituted:

Composition

(2) Subject to subsection (2.1), a board shall be composed of such members as are appointed by the Minister.

Same

(2.1) A board shall be composed of at least three and not more than nine members, but if the Minister makes a regulation prescribing industry groups that are required to be represented on the board, the board shall be composed of at least the same number of members as of industry groups that are prescribed.

(3) Subsections 28 (3), (6) and (7) of the Act are amended by adding “or continued” after “established” wherever it appears.

21 (1) Paragraph 3 of section 29 of the Act is amended by striking out “and determine” and substituting “and, subject to the regulations, determine”.

(2) Paragraph 4 of section 29 of the Act is amended by striking out “a court of competent jurisdiction” and substituting “the Superior Court of Justice”.

22 The Act is amended by adding the following section:

Subrogation re claims paid from fund

29.1 If an amount is paid out of a fund under section 50, the board performing functions and exercising powers in respect of the fund is subrogated to the right of the person to whom the amount is paid for the amount of the payment and may bring an action in the board’s name or in the person’s name to enforce that right.

23 Section 30 of the Act is amended by adding the following subsection:

Industry group representation, vacancies

(3.1) If the Minister prescribes agricultural industry groups that are required to be represented on the board, the fact that the Minister has not appointed a representative from one or more of the industry groups does not invalidate a decision of the board.

24 Clause 38 (1) (a) of the Act is repealed and the following substituted:

- (a) dissolve a board previously established or continued under clause 27 (1) (a) and provide for the termination of the fund to which the board relates;

25 Subsection 39 (1) of the Act is amended by striking out “the borrowing, investing and managing of financial risks” at the end and substituting “borrowing, investing and managing financial risks”.

26 Subsection 41 (1) of the Act is amended by striking out “or owner”.

27 Section 44 of the Act is amended by adding the following subsection:

Priority

(2) A board shall make payments out of a fund in accordance with such priority rules as may be prescribed.

28 Subsections 46 (1) and (2) of the Act are repealed and the following substituted:

Claims against funds

Claims re dealers

(1) The producer of a Part VII designated product that is sold by or on behalf of the producer may make a claim for payment out of the fund established or continued in respect of the Part VII designated product if,

- (a) the dealer has not paid the producer the price payable for the Part VII designated product within the prescribed time;
- (b) the dealer has filed a notice of intention to file or a proposal under the *Bankruptcy and Insolvency Act* (Canada) or has had all or part of their assets placed in the hands of a trustee for distribution under that Act;
- (c) a monitor has been appointed under the *Companies' Creditors Arrangement Act* (Canada) in respect of the dealer;
- (d) a receiver or receiver-manager has been appointed in respect of some or all of the dealer's assets;
- (e) the dealer has made an application under the *Farm Debt Mediation Act* (Canada); or
- (f) any other prescribed circumstances exist.

Claims re storage operators

(2) The owner of a Part VII designated product that has been stored with a storage operator may make a claim for payment out of the fund established or continued in respect of the Part VII designated product if,

- (a) the storage operator has failed to deliver all or part of the stored product upon demand by the owner;
- (b) the storage operator has filed a notice of intention to file or a proposal under the *Bankruptcy and Insolvency Act* (Canada) or has had all or part of their assets placed in the hands of a trustee for distribution under that Act;
- (c) a monitor has been appointed under the *Companies' Creditors Arrangement Act* (Canada) in respect of the storage operator;
- (d) a receiver or receiver-manager has been appointed in respect of some or all of the storage operator's assets;
- (e) the storage operator has made an application under the *Farm Debt Mediation Act* (Canada); or
- (f) any other prescribed circumstances exist.

29 (1) Subsections 50 (1) and (2) of the Act are repealed and the following substituted:

Payment of claims

(1) If a board or a panel of a board determines that all or part of a claim is valid, the board shall pay the portion of the claim it finds to be valid.

No payment for invalid claims

(2) For greater certainty, a board shall not pay any claim or portion of a claim that the board or a panel of the board determines not to be valid.

(2) Section 50 of the Act is amended by adding the following subsections:

Notice to Director

(5) If a board pays a claim in respect of a licensed dealer or licensed storage operator, the chair of the board shall inform the Director of the payment.

Payment from security

(6) After receiving information from the chair of a board under subsection (5), the Director may,

- (a) pay the amount payable to the board out of any security that the Director holds for the licensed dealer or licensed storage operator; and
- (b) require the licensed dealer or licensed storage operator to deposit as security with the Director the amount paid by the Director under clause (a) in order to restore the amount of security to its previous level.

30 Section 51 of the Act is amended by adding the following subsections:

Order to refund

(2) If subsection (1) applies, the chair of the board may issue to the claimant an order to pay the amount described in that subsection.

Content of order to refund

- (3) An order issued under subsection (2) shall set out,
- (a) the amount that is to be paid;
 - (b) the time by which the amount is to be paid; and
 - (c) any other matter that may be prescribed.

31 (1) Subsection 52 (1) of the Act is amended by striking out “the failure of a dealer, storage operator or prescribed person to pay a debt owing to the claimant” in the portion before clause (a) and substituting “the failure of a dealer or prescribed person to pay a debt owing to the claimant, or the failure of a storage operator to deliver stored grain”.

(2) Clause 52 (1) (a) of the Act is amended by striking out “and” at the end and substituting “excluding any amount paid under subsection 50 (6); and”.

32 (1) Subsection 54 (1) of the Act is amended by striking out “A person” at the beginning of the portion before clause (a) and substituting “A claimant who is ordered to pay an amount under subsection 51 (2) or a person”.

(2) Clause 54 (1) (a) of the Act is amended by striking out “if the person was ordered to reimburse a claim”.

(3) Clause 54 (1) (b) of the Act is amended by adding “or, if the person withdraws the notice of appeal, within 30 days after the withdrawal” at the end.

(4) Subsection 54 (2) of the Act is amended by striking out “a court of competent jurisdiction” and substituting “the Superior Court of Justice”.

(5) Subsection 54 (3) of the Act is amended by striking out “section 52” and substituting “clause 52 (1) (a)” and by striking out “may inform the Director” and substituting “shall inform the Director”.

(6) Subsection 54 (4) of the Act is repealed and the following substituted:

Same

(4) After receiving information from the chair of the board under subsection (3), and if more than 30 days have elapsed after the time for paying the order specified in subsection (1), the Director may,

- (a) pay the amount payable under the order to the board out of any security that the Director holds from the licensed dealer or licensed storage operator; and
- (b) require the licensed dealer or licensed storage operator to deposit as security with the Director the amount paid by the Director under clause (a) in order to restore the amount of security to its previous level.

33 The Act is amended by adding the following Part:

PART VII.1 COLLECTION, GRADING, ETC.

Collection, etc., of ungraded product

54.1 A person engaged in the collection of an ungraded Part VII.1 designated product shall collect it, store it and deliver it for grading or sale in accordance with the regulations.

Collection receipt

54.2 (1) A person who collects an ungraded Part VII.1 designated product from a producer or prescribed seller shall,

- (a) create a receipt for the designated product indicating the quantity of the designated product that has been collected;
- (b) provide the receipt to the producer or prescribed seller; and
- (c) keep a copy of the receipt for their records.

Same

(2) The receipt referred to in clause (1) (a) shall include such information and meet such requirements as may be prescribed.

Grading requirements

54.3 A person engaged in grading a Part VII.1 designated product shall grade the designated product in accordance with the regulations, if any, respecting the premises at which or the manner in which grading shall occur.

Grading statement

54.4 (1) A person engaged in the grading of a Part VII.1 designated product shall,

- (a) create a statement indicating the quantity and price for each portion of the designated product that is graded;
- (b) provide the statement to the producer or prescribed seller; and
- (c) keep a copy of the statement for their records.

Same

(2) The statement referred to in clause (1) (a) shall include such information and meet such requirements as may be prescribed.

Prohibition, applying grade to designated product

54.5 (1) No person shall apply a grade to a Part VII.1 designated product unless the designated product has been graded in accordance with the regulations.

Prohibition, sale of graded product

(2) No person shall sell or offer for sale a Part VII.1 designated product by grade unless the designated product has been graded in accordance with the regulations.

Ungraded product

54.6 A prescribed person who purchases an ungraded Part VII.1 designated product from a producer or prescribed seller or sells or offers for sale an ungraded Part VII.1 designated product on behalf of a producer or prescribed seller shall provide such records and information to the producer or prescribed seller as may be prescribed.

Purchase, advertisement, sale, offer or display

54.7 A person prescribed for the purposes of this section shall not purchase, advertise, sell, offer or display for sale a Part VII.1 designated product unless,

- (a) any prescribed requirements related to how the designated product is purchased, advertised, sold, offered or displayed for sale have been met; and
- (b) any prescribed requirements related to the types, sizes, branding, marking and labelling of packages or containers in which the designated product shall be contained have been met.

34 Section 55 of the Act is amended by striking out “may be required to pay a prescribed fee” at the end and substituting “shall pay any prescribed fee”.

35 Clause 56 (1) (a) of the Act is amended by striking out “this Act, the regulations or any conditions the Director may impose on the licence” at the end and substituting “the requirements established under this Act”.

36 Clauses 57 (4) (c) and (d) of the Act are amended by striking out “any provision of this Act, the regulations or any conditions attached to the licence” wherever it appears and substituting in each case “any requirement established under this Act”.

37 Subsection 62 (1) of the Act is repealed and the following substituted:

Request for Tribunal hearing

(1) Within 15 days after an applicant or licensee receives a notice mentioned in subsection 61 (8), the applicant or licensee may request that the Tribunal hold a hearing to review the decision by submitting a written request to the Tribunal and providing a copy of the request to the Director.

38 Subclause 63 (6) (b) (ii) of the Act is amended by striking out “Director” and substituting “Tribunal”.

39 (1) Paragraph 1 of subsection 65 (1) of the Act is amended by striking out “employed by the Ministry” at the end and substituting “employed in the Ministry”.

(2) Subsection 65 (1) of the Act is amended by adding the following paragraph:

- 3. Despite paragraphs 1 and 2, if the regulations prescribe additional individuals who may be designated as inspectors, the Director may designate those individuals.

(3) Subsection 65 (2) of the Act is repealed and the following substituted:

Designation of inspectors appointed under other Acts

(2) Despite subsection (1), the Director may designate a person as an inspector if,

- (a) in the case where the Director is appointed by the Minister, the person is not employed in the Ministry but is designated or appointed as an inspector under another Act and, before the designation, the person and the Minister enter into an agreement that satisfies the prescribed requirements; or

- (b) in the case where the Director is appointed by the delegated authority, the person is not employed by the delegated authority but is designated or appointed as an inspector under another Act and, before the designation, the person and the delegated authority enter into an agreement that satisfies the prescribed requirements.

40 (1) Subsection 67 (1) of the Act is amended by striking out “the regulations, a licence or a term or condition on a licence” wherever it appears.

(2) Subsection 67 (2) of the Act is amended by striking out “or, in the prescribed circumstances, an inspector” and substituting “or an inspector that is permitted by the regulations to issue compliance orders”.

(3) Subsection 67 (4) of the Act is repealed and the following substituted:

Request for Tribunal hearing

(4) Within 15 days after a person receives an order issued by the Director or an inspector, the person may request that the Tribunal hold a hearing to review the order by submitting a written request to the Tribunal and providing a copy of the request to the Director.

41 (1) Subsection 68 (1) of the Act is amended by striking out “a producer or owner” in the portion before paragraph 1 and substituting “an owner”.

(2) Paragraphs 4 and 5 of subsection 68 (1) of the Act are amended by striking out “producers or” wherever it appears.

(3) Paragraph 4 of subsection 68 (2) of the Act is repealed.

(4) Clause 68 (5) (a) of the Act is amended by striking out “His Majesty the King in Right of Ontario” and substituting “the Crown in right of Ontario”.

42 (1) Subsection 69 (1) of the Act is repealed and the following substituted:

Freeze orders

(1) An order shall not be issued under this section in respect of a designated product unless the regulations authorize the use of freeze orders in respect of the designated product.

Specified sellers

(1.1) In this section, a reference to a specified seller is a reference to a seller of a designated product in respect of which freeze orders are authorized and who is prescribed under paragraph 2 of subsection 22 (1) as a beneficiary of a trust fund in respect of that designated product for the purposes of section 22.

(2) Subsection 69 (2) of the Act is amended by striking out “producer or owner” in the portion before clause (a) and substituting “producer, owner or specified seller”.

(3) Clause 69 (3) (a) of the Act is amended by adding “or specified seller” at the end.

(4) Subsection 69 (6) of the Act is amended by striking out “producer or owner” in the portion before clause (a) and substituting “producer, owner or specified seller”.

(5) Clause 69 (6) (a) of the Act is amended by striking out “the producer or owner” and substituting “the producer, owner or specified seller”.

(6) Clause 69 (7) (b) of the Act is amended by striking out “producer or owner” in the portion before subclause (i) and substituting “producer, owner or specified seller”.

(7) Subclause 69 (7) (b) (i) of the Act is amended by striking out “producer or owner” and substituting “producer, owner or specified seller”.

(8) Subsection 69 (14) of the Act is repealed and the following substituted:

Right to hearing

(14) Within 15 days after a dealer or storage operator receives an order mentioned in subsection (2), the dealer or storage operator may request that the Tribunal hold a hearing to review the Director’s decision to issue a freeze order by submitting a written request to the Tribunal and providing a copy of the request to the Director.

(9) Clause 69 (18) (a) of the Act is amended by striking out “producer or owner” and substituting “producer, owner or specified seller”.

(10) Subclause 69 (18) (b) (i) of the Act is amended by striking out “producer or owner” and substituting “producer, owner or specified seller”.

(11) Subsection 69 (19) of the Act is amended by striking out “producer or owner” wherever it appears and substituting in each case “producer, owner or specified seller”.

43 Subsections 70 (1) and (2) of the Act are repealed and the following substituted:

Appeal body

(1) In sections 71 to 78,

“appeal body” means the prescribed appeal body or, if no appeal body is prescribed, the Tribunal.

44 (1) Subsection 71 (1) of the Act is amended by striking out “under section 70” in the portion before paragraph 1.

(2) Paragraph 1 of subsection 71 (1) of the Act is amended by striking out “and the regulations” at the end.

(3) The French version of paragraph 1 of subsection 71 (1) of the Act is amended by striking out “exigences établies par la présente loi” and substituting “exigences établies en vertu de la présente loi”.

(4) The French version of paragraph 2 of subsection 71 (1) of the Act is amended by striking out “exigence établie par la présente loi” and substituting “exigence établie en vertu de la présente loi”.

(5) Section 71 of the Act is amended by adding the following subsection:

Administrative penalties authorized by regulation in respect of designated product

(1.1) An administrative penalty shall not be issued in respect of a designated product unless,

- (a) the regulations authorize the use of administrative penalties in respect of the designated product; and
- (b) the facts giving rise to the issuance of the administrative penalty occurred on or after the day the regulations authorize its use.

(6) Subsection 71 (3) of the Act is repealed and the following substituted:

Administrative penalty order

(3) Subject to any limitations in the regulations, if the Director is satisfied that a person is contravening or not complying with or has contravened or not complied with a requirement established under this Act, the Director may, by order, impose an administrative penalty on the person in accordance with this section and the regulations.

(7) Clause 71 (4) (a) of the Act is amended by striking out “His Majesty the King in Right of Ontario” and substituting “the Crown in right of Ontario”.

(8) Subsection 71 (7) of the Act is amended by striking out “contravention” wherever it appears and substituting in each case “contravention or failure to comply”.

(9) Subsection 71 (9) of the Act is repealed.

45 Subsection 72 (1) of the Act is repealed and the following substituted:

Request for Tribunal hearing

(1) Within 15 days after a person receives an order imposing an administrative penalty, the person may request that the Tribunal hold a hearing to review the order by submitting a written request to the Tribunal and providing a copy of the request to the Director.

46 (1) Clause 74 (a) of the Act is amended by striking out “at the time” at the beginning and substituting “within the time”.

(2) Clause 74 (b) of the Act is repealed and the following substituted:

- (b) within 30 days after the day the appeal body confirms the order or, if the person withdraws the notice of appeal, within 30 days after the withdrawal.

47 (1) Subsection 76 (1) of the Act is amended by striking out “a court of competent jurisdiction” and substituting “the Superior Court of Justice”.

(2) The French version of subsection 76 (4) of the Act is amended by striking out “règlements suivants” in the portion before paragraph 1 and substituting “règles suivantes”.

(3) Subparagraph 2 i of subsection 76 (4) of the Act is amended by adding “and” at the end.

(4) Subparagraph 2 ii of subsection 76 (4) of the Act is amended by striking out “and” at the end.

(5) Subparagraph 2 iii of subsection 76 (4) of the Act is repealed.

(6) Subsection 76 (4) of the Act is amended by adding the following paragraph:

- 3. The Director shall, within 10 days of learning of the payment of the debt owing under the administrative penalty, discharge the registration of any financing statement and discharge any charge on real property.

48 Section 77 of the Act is amended by striking out “Crown Agent” wherever it appears and substituting in each case “Crown agency”.

49 Section 78 of the Act is repealed and the following substituted:

Transition, beef cattle and grain

78 Despite clause 71 (1.1) (b), an administrative penalty may be issued in respect of beef cattle or grain if the facts giving rise to the issuance of the administrative penalty occurred on or after January 1, 2026 and before the day the regulations authorize the use of administrative penalties in respect of beef cattle or grain, as the case may be.

50 Subsection 82 (2) of the Act is amended by striking out “regulations” at the end and substituting “regulation”.

51 Paragraph 2 of section 109 of the Act is repealed and the following substituted:

- 2. Subsections 23 (2) and (3).

52 The French version of paragraph 7 of section 110 of the Act is amended by striking out “écrite”.

53 Clause 112 (8) (a) of the Act is amended by striking out “or already recovered; and” at the end and substituting “and already recovered; and”.

54 Section 113 of the Act is amended by striking out “a court of competent jurisdiction” and substituting “the Superior Court of Justice”.

55 Section 116 of the Act is repealed and the following substituted:

Service, etc., of documents

116 If this Act or the regulations require or permit a document to be served on, given to or otherwise provided to a person, the document is sufficiently provided if it is provided in accordance with the regulations unless the person establishes that they did not, acting in good faith, through absence, accident, illness or other cause beyond their control, receive the document until a later date.

56 (1) Clause 118 (1) (a) of the Act is repealed and the following substituted:

- (a) respecting anything that, under this Act, may or must be done by regulation;

(2) Clause 118 (1) (c) of the Act is amended by striking out “or person” and substituting “of person”.

(3) Clause 118 (1) (f) of the Act is repealed and the following substituted:

- (f) prescribing fees for the purposes of this Act, including with respect to licensing and shortfall permits;

(4) Clauses 118 (3) (a) to (e) of the Act are repealed and the following substituted:

- (a) governing payments for designated products;
- (b) governing agreements for the purposes of section 6, including prescribing requirements with respect to timing, content or form;
- (c) respecting agreements for the purposes of subsection 7 (3);

(5) Clause 118 (4) (c) of the Act is repealed and the following substituted:

- (c) governing agreements to store a Part V designated product for the purposes of section 11, including prescribing requirements with respect to timing, content or form;

(6) Clauses 118 (4) (e) to (i) of the Act are repealed and the following substituted:

- (e) governing weigh tickets, storage receipts, and updates to owners for the purposes of section 16;
- (f) governing shortfall permits, including applications for shortfall permits, conditions to be satisfied before a shortfall permit is issued and terms or conditions that may be imposed on a shortfall permit;

(7) Clause 118 (5) (b) of the Act is amended by striking out “producers” and substituting “beneficiaries”.

(8) Clause 118 (5) (d) of the Act is repealed and the following substituted:

- (d) governing payments out of a trust fund for the purposes of subsection 23 (1);

(9) Clause 118 (5) (e) of the Act is amended by striking out “(4)” and substituting “(2)”.

(10) Clause 118 (6) (a) of the Act is amended by adding “or continuation” after “establishment”.

(11) Clause 118 (6) (b) of the Act is repealed and the following substituted:

- (b) governing compensation from funds under subsection 26 (4);

(12) Clause 118 (6) (c) of the Act is amended by adding “or continuing” after “establishing”.

(13) Clause 118 (6) (d) of the Act is amended by adding “subject to subsection 28 (2.1)” at the beginning.

(14) Clause 118 (6) (j) of the Act is amended by adding “including providing that fees may or must be remitted to and collected from a commodity board or agricultural association” at the end.

(15) Clause 118 (6) (m) of the Act is amended by striking out “including prescribing the grounds upon which a board or panel of a board may pay a claim that is determined to be valid” at the end.

(16) Section 118 of the Act is amended by adding the following subsection:

Regulations: Part VII.1

(6.1) The Minister may make regulations for the purposes of Part VII.1,

- (a) governing collection receipts for the purposes of section 54.2;
- (b) prescribing the manner in which a person engaged in the collection of ungraded Part VII.1 designated products shall identify, for purposes of grading, individual producers’ lots in any shipment;
- (c) establishing and describing standards for the purpose of grading any Part VII.1 designated products;
- (d) governing grading statements for the purposes of section 54.4;
- (e) governing the manner in which samples of any Part VII.1 designated product may be taken for inspection;
- (f) providing for the manner and conditions of grading, inspection, packing, branding and marking of Part VII.1 designated products;
- (g) governing the manner in which and the conditions under which Part VII.1 designated products shall be stored, transported, delivered, shipped, advertised, purchased, sold, offered or displayed for sale and the types, sizes, branding, marking and labelling of packages or containers in which Part VII.1 designated products shall be contained.

(17) Clause 118 (7) (b) of the Act is repealed and the following substituted:

- (b) governing the requirements that an applicant must satisfy to obtain or renew a licence, including requirements relating to,
 - (i) demonstrating their financial responsibility, and
 - (ii) providing security to the Director in the prescribed amount and manner;
- (b.1) authorizing the collection and use of information from commodity boards and agricultural associations for the purposes of assessing an applicant’s financial responsibility in connection with an application to obtain or renew a licence;

(18) Section 118 of the Act is amended by adding the following subsection:

Subdelegation

(7.1) A regulation relating to the matters set out in subsection (7) may authorize the Director to require, authorize or otherwise determine any matter that may be required, authorized or otherwise determined by a regulation under that subsection and may specify limits on the authorization.

(19) Clause 118 (8) (c) of the Act is repealed.

(20) Clause 118 (8) (e) of the Act is repealed and the following substituted:

- (e) authorizing the use of orders under section 69 in connection with a designated product;

(21) Clause 118 (8) (f) is repealed and the following substituted:

- (f) authorizing the imposition of administrative penalties in connection with a designated product;

(22) Clause 118 (8) (h) of the Act is repealed and the following substituted:

- (h) governing administrative penalties, including,
 - (i) prescribing requirements established under this Act for which an administrative penalty may be imposed or may not be imposed,
 - (ii) specifying the amount or range of amounts of the administrative penalty or otherwise providing for the determination of the amount, such as by specifying the method of calculating the amount or any criteria or comparators that may or must be considered in the determination,
 - (iii) providing for different amounts to be paid, or different calculations or criteria to be considered, depending on the circumstances that gave rise to the administrative penalty,
 - (iv) authorizing higher penalties for a second or subsequent contravention or failures to comply,
 - (v) specifying information that must be included in an order imposing an administrative penalty,
 - (vi) governing the procedure for making an order imposing an administrative penalty.

(23) Subsection 118 (11) of the Act is repealed.

57 The Act is amended by striking out “Crown Agency” wherever it appears and substituting in each case “Crown agency” except in the following provision:

1. Subsection 100 (1).

58 The French version of the Act is amended by,

- (a) striking out “produit désigné par la partie” wherever it appears and substituting in each case “produit désigné visé par la partie”; and
- (b) striking out “produits désignés par la partie” wherever it appears and substituting in each case “produits désignés visé par la partie”.

Commencement

59 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protecting Ontario’s Food Independence Act, 2026* receives Royal Assent.

(2) The following provisions come into force on a day to be named by order of the Lieutenant Governor in Council:

1. Subsections 1 (1), (2), (4), (6), (7) and (11).
2. Sections 3 to 5, 7 and 9 to 11.
3. Subsection 12 (2).
4. Sections 22, 28, 33 and 43.
5. Subsections 44 (1), (2) and (5).
6. Section 49.
7. Subsections 56 (4) to (6), (11), (16), (17), (21) and (23).

(3) Section 42 and subsection 56 (20) come into force on the later of the day section 69 of Schedule 30 (*Protecting Farmers from Non-Payment Act (Regulating Agricultural Product Dealers and Storage Operators), 2023*) to the *Less Red Tape, Stronger Economy Act, 2023* comes into force and the day the *Protecting Ontario’s Food Independence Act, 2026* receives Royal Assent.

**SCHEDULE 9
VETERINARY PROFESSIONALS ACT, 2024**

1 (1) Subsection 1 (1) of the *Veterinary Professionals Act, 2024* is amended by adding the following definition:

“ancillary services” means services provided in respect of animals by a member as part of or separate from their practice of veterinary medicine, including boarding, grooming, funeral services and sales of food, supplies and other goods or services; (“services accessoires”)

(2) The definition of “Minister” in subsection 1 (1) of the Act is repealed and the following substituted:

“Minister” means the Minister of the Ministry of Agriculture, Food and Agribusiness or such other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

2 Section 21 of the Act is amended by adding the following subsections:

Exception

(3) Despite subsection (1), a member who intends to carry out authorized activities in or from a building, vehicle or land that would otherwise require a certificate of accreditation is not required to obtain such certificate of accreditation if,

- (a) the member is a prescribed person;
- (b) the building, vehicle or land is of a prescribed type or category;
- (c) the building, vehicle or land will be used for the prescribed purposes; or
- (d) the prescribed circumstances apply.

Same

(4) An exemption under subsection (3) may be subject to the prescribed terms and conditions.

3 (1) Clause 34 (1) (a) of the Act is repealed and the following substituted:

- (a) permit the assessor to enter and inspect the veterinary facility or other prescribed building, vehicle or land where the member practises veterinary medicine or provides the prescribed ancillary services;

(2) Subsection 34 (2) of the Act is repealed and the following substituted:

Inspection of premises

(2) Every person who controls a veterinary facility or who controls a prescribed building, vehicle or land where a member practises veterinary medicine or provides prescribed ancillary services shall allow an assessor to enter and inspect the veterinary facility, building, vehicle or land unless it is a private dwelling.

4 (1) Subsection 46 (1) of the Act is amended by adding the following paragraph:

- 5. If the Registrar believes on reasonable and probable grounds that a member or former member provided information when applying for their licence that they knew or ought to have known was false or misleading and if the Investigations and Resolutions Committee approves of the appointment.

(2) Subsection 46 (4) of the Act is amended by adding “or former member” after “member”.

5 (1) Clause 47 (1) (a) of the Act is amended by striking out “the veterinary facility of the member or former member” and substituting “the veterinary facility or prescribed building, vehicle or land where the member or former member practises veterinary medicine or provides prescribed ancillary services”.

(2) Clause 47 (1) (c) of the Act is amended by striking out “the veterinary facility” and substituting “the veterinary facility or prescribed building, vehicle or land where the member or former member practises veterinary medicine or provides prescribed ancillary services”.

6 (1) Subsection 49 (5) of the Act is amended by adding the following paragraph:

- 5.1 Subject to subsection (5.1), direct the Registrar to cancel the licence of the member or former member.

(2) The Act is amended by adding the following subsection:

Cancellation under par. 5.1 of subs. (5)

(5.1) The Investigations and Resolutions Committee may only direct the Registrar to cancel a licence under paragraph 5.1 of subsection (5) if,

- (a) the member or former member provided information when applying for their licence that they knew or ought to have known was false or misleading; and

- (b) the Registrar would have had grounds to refuse to issue the licence had the Registrar known the information was false or misleading.

7 Subsection 51 (1) of the Act is repealed and the following substituted:

Interim orders

(1) At any time after receiving a matter under paragraph 4 of subsection 33 (2) or subsection 43 (3) or after an investigator is appointed under section 46, the Investigations and Resolutions Committee may, subject to subsection (5) of this section, make an interim order directing the Registrar to suspend or to impose terms, conditions or limitations on a member or former member's licence if it is of the opinion that,

- (a) the conduct of the member or former member exposes or is likely to expose an animal or human to harm or injury; or
- (b) the member or former member provided information when applying for their licence that they knew or ought to have known was false or misleading and the Registrar would have had grounds to refuse to issue the licence had the Registrar known the information was false or misleading.

8 Subsection 68 (12) of the Act is amended by striking out “the complainant, if applicable”.

9 Section 83 of the Act is amended by adding the following subsection:

Disclosure of prescribed information

(3) Despite subsection (1), prescribed persons may disclose the prescribed information as long as the information is disclosed in accordance with the regulations and the information is in the prescribed form.

10 (1) Paragraph 18 of subsection 93 (1) of the Act is repealed and the following substituted:

- 18. limiting the circumstances in which an inspector, assessor or investigator may enter a veterinary facility or other building, vehicle or land for the purposes of subsection 23 (2), section 34 or section 47;

(2) Subsection 93 (1) of the Act is amended by adding the following paragraph:

- 18.1 governing exemptions from the requirement to obtain a certificate of accreditation for the purposes of subsections 21 (3) and (4), including,
 - i. governing the circumstances in which a certificate of accreditation is not required,
 - ii. exempting categories or types of persons, buildings, vehicles, land or persons carrying out specified activities,
 - iii. exempting buildings, vehicles or land used for specified purposes, and
 - iv. prescribing the scope of such exemptions and the terms and conditions that apply to such exemptions;

(3) Paragraph 23 of subsection 93 (1) of the Act is amended by striking out “including respecting standards for the use of technology in the practice of veterinary medicine, when technologies may be used and the manner and circumstances in which they may be used” at the end.

Commencement

11 This Schedule comes into force on a day to be named by order of the Lieutenant Governor in Council.