

Excerpts DFPEI 2012-07 Marketing Order

Transfers of
quota

17. Quotas may be transferred under the following conditions:

(1) In the case of off-farm transfers, from a father to a son or daughter or from a mother to a son or daughter provided no conditions or restrictions are in effect on the quota holdings of the transferor or transferee pursuant to other sections of this Order or any other Order of the Board.

(2) To the purchaser of an on-going dairy enterprise where the purchaser is a new producer and has purchased all land, buildings, dairy equipment and all the milking herd. Such transfers shall be conditional on the producer marketing all milk from the purchased farm location for at least twenty-four consecutive months after the date of purchase or such quota shall revert to the Board.

(3) To the purchaser of an on-going dairy enterprise where the purchaser is a registered producer and has purchased all land, buildings, dairy equipment and all the milking herd, with the intent of expanding his dairy enterprise. Such transfers shall be conditional on the producer marketing all milk from the new farm location for at least twenty-four consecutive calendar months after the date of purchase or such quota transferred shall revert to the Board.

(4) To a new producer where the quota is being transferred from a retiring producer and the new producer wishes to relocate the quota to a non-producing farm location, provided that the new producer shall not be allowed to combine the quota with any other quota for at least five (5) years except as specified in Section 17 (5) (below).

(5) To a producer who has purchased quota through the Quota Exchanges operated by the Board under the Quota Exchange Order.

(6) Effective 1 November 2010, no new applications to transfer quota as specified in Section 17 (3) (above) will be accepted.

(7) Any producer who sells all their quota shall be prohibited for a period of two years, from the date of the quota sale, from marketing milk at the location where that producer had previously operated a dairy farm. This prohibition also applies to the producer's immediate family members, business partner or any corporation in which the producer holds an interest.

Lease equivalent
to purchase

18. For the purposes of determining eligibility for a transfer of quota under sections 17(2) and 17(3) the Board may consider as equivalent to a purchase, a long term lease (five years or more) which contains an offer to purchase clause.

Prior Board
approval required

19. All transfers of quota are subject to prior approval by the Board.