# Corporations, partnerships (includes joint producers), cooperatives or other business enterprises (not affected by the Related Producers' Provision)

### **Forms required**

*Fall Advance Application* form Additional *Priority Agreement* form(s) – if required *Continuing Declaration and Guarantee* form Important

Under the advance payment programs, joint producers are considered a partnership and as a result, must complete Declaration and Guarantee forms.

Corporations, partnerships, cooperatives or business enterprises must have their application and *Declaration and Guarantee* (D & G) form approved by the CWB before receiving a cash advance.

The maximum a corporation, partnership (including joint producers), cooperative or other business enterprise can receive is \$250,000, with the first \$50,000 interest free. This includes any amount transferred from the 2005-06 *AMPA* program where default has been stayed.

### **Pre-approval**

Corporations, partnerships (including joint producers), cooperatives or other business enterprises can apply for pre-approval of their 2006-07 *ESCAP* D & G form. Once you have received an authorization letter from the CWB, the applicant can receive the first cash advance payment (Box D) when the *Advance Application* and *Priority Agreement(s)* have been completed.

Only one D & G form is required for each corporation, partnership (including joint producers), cooperative or business enterprise for all advances applied for in the 2006-07 crop year and future crop years, under the farming operation, **provided the structure of the company and shareholders**, **partners, members or owners does not change**.

**Note**: If changes are made to the corporation, partnership (including joint producers), cooperative or business enterprise after the first payment is issued, a new D & G form must be completed and approved before issuance of any additional payments. Farmers whose defaulted cash advances have been forwarded to AAFC for collection will be required to complete a new D & G form when they apply for their next advance. Contact the CWB prior to issuing an advance if unsure whether the D & G form is still valid.

### **Pre-approval process**

- 1. Ensure that the applicant has a valid 2006-07 Delivery Permit Book.
- 2. Complete the D & G in full using the instructions that follow.
  - Send the white copy to the CWB.
  - Give the green copy to the applicant.
  - Keep the yellow copy for your records. You will need it when you complete the advance application form.
- 3. The CWB reviews the D & G and sends a letter to you and to the applicant confirming that the D & G has been pre-approved. Keep this letter, as you will need it to complete the advance application.
- 4. When the applicant completes the application form, you can issue the first payment immediately.

### When pre-approval has not been applied for

If the applicant completes the D & G form when applying for an advance, submit only the CWB copies of all documents to the CWB for approval before issuing a cash ticket (see pages 42-43 for instructions on completing this form).

# How to complete a Continuing Declaration and Guarantee form

Each corporation, partnership (includes joint producers), cooperative or other business enterprise must complete a *Continuing Declaration and Guarantee* (D & G) form.

Only one D & G form is required for each corporation, partnership (includes joint producers), cooperative or business enterprise for all advances applied for in the 2006-07 crop year under all farming operations and continuing into future crop years. If the structure of the company or the shareholders, members, partners (includes joint producers) or owners changes, a new D & G form must be completed.

**Note:** Continuing D & G forms completed for the 2000-01 and subsequent crop years can be used for the 2006-07 *AMPA* program, provided the structure or members of the company have not changed. Forms completed for the 2001-02 fall *AMPA* and subsequent crop year programs apply to all farming operations.

### Instructions:

- 1. Record the applicant's full name.
- 2. Enter the applicant's ID number. If no ID number exists, one will be issued by the CWB when the documents are processed. (Please allow at last 2 weeks for processing of D & G forms.)
- 3. Enter the 9-digit delivery point code of your elevator.
- Enter your elevator and your station telephone and fax number.
- 5. Indicate if applicant is a corporation, partnership (includes joint producers) or cooperative.

# Part 1 – Declaration

- 6. List ALL shareholders, partners (includes joint producers), members or owners of the corporation, partnership, cooperative or business enterprise.
- 7. For each shareholder, partner, member or owner, list:
- full name
- complete mailing address and phone number;
- CWB ID number\* for each individual (if available);



- position held in company;
- per cent interest in the company.
- 8. Have the applicant read and complete the rest of Part 1 - Declaration.

### Part 2 – Guarantee

iv)

- 9. Enter the applicant's full name.
- 10. Have the applicant read Part 2 Guarantee.

### Part 3 – *Signatures*

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- 11. Ensure all members of the corporation, partnership (includes joint producers), cooperative or business enterprise, as listed on the form, sign their full names, record their date of birth and date signed. Ensure those at a rural address list the section, township, range and meridian of their home quarter.
- Initials are not accepted.
- Do not indicate company name.
  - Do not include the person's position in the company or affix the company seal.

# Part 4 - Certificate of Notary **Public** (Alberta residents only)

- 12. List the complete names of all individuals named in Part 1 that reside in Alberta. List the town or city where they live.
- 13. List the complete names of all individuals named in Part 1 that reside in Alberta.
- 14. The individuals who sign this portion must be the same individuals who signed the Signatures section (Part 3) for those who reside in Alberta.
  - Initials are not accepted.
  - Do not indicate company name.
  - Do not include the person's position in the company or affix the company seal.
- 15. Ensure that a Notary Public, not a Commissioner for Oaths, completes this section.

#### Seal of office must be provided.

There are three copies of this form:

- send the first copy to the CWB;
- give the second copy (green) to the applicant;
- keep the third copy (yellow) for your records.

GYVB has received from such estate payment in rull of the GYVB's claim.	
he CWB shall not be bound to exhaust its recourse against the applicant or other parties or the securities it r s right under any lien, statutory or otherwise, before being entitled to payment from me/us under this guarant	tee.
he Minister of Agriculture and Agri-Food Canada or any authorized agent shall proceed with collection action aid in full.	until the account is
his guarantee shall continue to be binding upon me/us and my/our heirs, executors, administrators and assig	gns,
PART 3 - SIGNATURES	
WE, THE UNDERSIGNED DECLARANT(S) AND GUARANTOR(S), SOLEMNLY DECLARE THAT I/WE H INDERSTAND AND AGREE TO BE BOUND BY ALL TERMS OF THIS DECLARATION AND GUARANTE IFORMATION SET FORTH IN THIS FORM IS TRUE, CORRECT AND COMPLETE.	
nd l/we make this solemn declaration is a galarantee conscientiously knowing that it is of the same forcu oder oath. The Declaration and Guarantee must be personally signed by the Guarantor(s) named in th	

deem that all other dividends, compensations and monies received by the CWB from

deuter that all other driven so that a second second second by the CWB in reduction of the debt or liability hereby guaranteed shall be considered payment in gross, and the CWB shall be entitled to prove against the estate of the applicant upon insolvency or winding up in respect of the whole of the said debt and liability and twe

shall have no right to be subrogated to the CWB in respect of any such proof until the

in the Declaration (Part 1) and not by the Company. The Company name or seal must not be affixed to this signature

Signature of each Guarantor Declarant (Do not include company name or position held)		Home Quarter (Residence) Part Sec TP R M	
Farmer John Doe	2.1   08  60	NE ZO 13 ZZ 3	SEPT. 106
George D. Producer	(DD MM YY)	JE 18 13 ZZ 3	SEPT.VO6
	Date of birth (DD MM YY)		Date
	Date of birth (DD MM YY)		Date
Note: A new Declaration and Guarantee form must be compl ers, members, partners or owners.	leted if changes ar	e made to the company	structure or to the sharehold-
PART 4 - CERTIFICATE OF NOTA THE CERTIFICATE OF NOTARY PUBLIC MUST BE COM FOR THE ADVANCE PAYMENT RESIDE IN ALBERTA. I HERRY CERTIFY THAT ON DOL COMPANY OF THE ADVANCE PAYMENT RESIDE IN ALBERTA.	IPLETED IF ANY		HE COMPANY APPLYING
Alberta, guarantor(s) whose signature appears in Part 3, ma <u>ADEMER</u> Ohn Do Ibert an obviously agreed in 1	12 1 920	SEPT 1 Rafe D. +R	2006 B
and the CWB, appeared in person before me and acknowle <b>STATEMENT OF GUARANTOR(S)</b> I/We am/are the person(s) named in this certificate. Signature(s) of each Guarantor Declarant	dged to have exe I satisfied m	cuted the Guarantee: yself by examining the C	Suarantor(s) that he/she/they has/ intee in Part 2 and understand(s) A PLACE
(Do not indicate company name or position held)	this <u><u><u></u></u><u><u></u><u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u></u></u></u>	2St day of St	PTEMBER 2000

azoraz D. Producze

My Commission expires

under my hand and seal of office. (Affix Seal)

John Notary Public

# Instructions for completing the *Advance Application*

Have applicants read page one of the advance application. Advise applicants that by signing the application, they are agreeing to the terms and conditions outlined in these documents.

Complete the applicant and delivery point information section of the form.

- Enter the Declaration and Guarantee form number.
- Enter your station fax number to receive faxes of documents for corrections and authorization where a second payment is requested.

2006-07 Crop Year A	pplication For Adva	nce Payment For Thre	eshed Grain In Storage						
(Program runs from September 1/06 to August 31/07. Application deadline is May 31, 2007 or sooner.) 345678									
TO THE ELEVATOR MANAGE	R: before this application 2006-07 AMPA advance pa	is completed, ensure that yo syments for wheat, durum and l	u and the applicant read and understand barley country elevator guide.						
Do not issue a cash ticket(s) to a corporation, partnership (includes joint producers), cooperative or individual(s) conducting business under a business name, or a colony, until the application has been verified or you have received pre-approval of the <i>Declaration and Guarantee</i> or <i>Guarantee</i> for Colonies from the CWB.									
Applicant Information Th	nis form must be complete	d in ink							
Applicant's Last Name First Na A COM		Applicant's CWB Identification Number 0 0 0 0 1 12 34 9 9	Day Month Year \  \$   \ O   O (6						
Applicant's Address		Permit Number 0010034 5 67 8	Company/Delivery Point Code						
Someplace, SK SOK 020	Date of birth (DD/MM/YY)	Reference Number	Station Name any station						
Applicant's Telephone No. (306) 234-5678	Applicant's Fax No. 1306) ころようなうしら	Declaration and Guarantee/Guarantee No. 00-12-345	Station Telephone No. Station Fax No. 306 SSS-3834 306 SSS-3835						

For the section regarding related producers, the applicant is not affected by the Related Producers' Provision and should check the box "NO". The applicant does not require a *Related Producers' Declaration* form.

### ALL APPLICANTS MUST COMPLETE THIS SECTION by answering "Yes" or "No"

Complete the following questions by answering "yes" or "no". Answer "yes" if either statement (or both) is true. If you answer "yes", complete the *Related Producers' Declaration* form and attach it to this advance application.

- Do you appear in other CWB delivery permit books as an individual or as a member of a corporation, cooperative, partnership, or other business enterprise?
- Do you share the reporting of income or losses from this or any other farming operation with anyone else for the purposes of the *Income Tax Act* (Canada)?



# **Eligible amount**

- 1. Enter the applicant's total tonnage in storage on the farm including carryover stocks and current crop year production in column i.
  - Only include the applicant's stocks of grain.
  - For selected barley, include only outstanding tonnage under a *Selected Barley Storage and Delivery Contract* that has been accepted by a selector. Include the contract numbers in the boxes provided. A CWB letter confirming acceptance must have been received.
- 2. Record tonnages to be used for seed, fed on farm and deliveries to purchase seed in column ii.
- 3. Calculate the tonnage eligible for delivery to the CWB, column iii, by subtracting column ii from column i.
- 4. Multiply column iii by the rate per tonne, column iv, to complete the eligible amount column v.

5. Add the eligible amounts for each grain together and record the total under 1(e).

Record the amount of the applicant's unpaid balance of previous 2006-07 wheat, durum and barley advances received under ESCAP or SCAP through this permit book in 1(f).

6. Record the amount of the applicant's previous unpaid advances for wheat, durum and barley applied for or received under this delivery permit book through 2006-07 AMPA in 1(g). Include amounts being transferred from the 2005-06 *AMPA* program where default has been stayed under this permit book.

		i Appl	icant's 1	Total					ble For yment	iii Tonna	ae Elic	ible	for	Maximum Advance P	Payment Based On Inv			wentory		
	Grain	(u	Farm Stored Grain (under this permit book) Grain To Be Used For See Fed on Farm, or Delivero for Seed Purchases			elivered	Delivery to CVVD				iv Rate Per Tonne		V Eligible Amount (Columniii multiplied by Column iv)							
)	Wheat		6	5	0		1		10	i.	6	5	0	\$ 80.00	\$	5	2	٥	٥	0
)	Durum		2	- 9	5					- F	2	9	5	\$ 75.00	\$	2	2	١	2	5
)	Barley		Υ.	1			. 4	. ¥.	÷.	- X	1. 10			\$ 35.00	\$	1.	1 I	1	1 1	1
d)	Sel Bly		ar -			Accepted selected barley contract numbers must be indicated below.								\$ 60.00	s				1	
	List according to the second s					+			ŧ		CWB I Only s contra	elec	ted t	ifirming acceptance n parley that has been a ible.	ccept	have b ted by	een a sel	ecto	or un	der
:)	74.17 <																			
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ŋ	Applicant							10 cm -					Sec. 1997	vances applied for reviously transferred	Г		_	-		-
f) g)							fault l	hashe	en stave	(be										

7. Enter the result in Box (A) Total Eligible Amount.

### **Maximum advance**

**Important**: The amounts of previous advances in 2(b) and 2(c) must be previous advances issued to the company. Do not include advances issued or attributed to company participants under other permit books.

- Calculate the maximum cash advance by subtracting the total of 2(b) and 2(c) from 2(a).
- Enter the amount in Box (B) Maximum Cash Advance.
- In 2(b), include the amount transferred or being transferred with this application from the 2005-06 *AMPA* program where default has been stayed.

Complete paragraph 2 and skip to paragraph 4, The *Advance Payment* if the applicant does not have a pre-approved *Declaration and Guarantee*.

_	Maximum Advance If you are an individual affected by the Related Producers' Provision, please complete a Related Producers' Declaration	π
0.535	fore completing the rest of this form. Companies must complete paragraph 2 before filling out the Related Producers' Declaration. Maximum 2006-07 advance under AMPA	\$250,000
b)	Applicant's total previous 2006-07 wheat and barley advances <b>through</b> AMPA and amount previously transferred or being transferred with this application from the 2005-06 AMPA program where default has been stayed (include amounts applied for, issued or transferred under this and all other permit books)	20,000
c)	Applicant's total previous advances applied for or received under AMPA through all appearances from all other organizations on all other crops	
d)	Subtract (b) + (c) from (a) and enter the total in box B Maximum Cash Advance	230,000 B

### **Elevator issuance limitation**

For applications sent to the CWB for approval before issuance of a cash ticket, do not complete this section of the form. However, have the applicant answer the irrigation form question. If the applicant has irrigated wheat, durum and/or barley, check the "yes" box and complete an *Application for Irrigation Rate* form (see page 28).

- For applicants without irrigated acres, record **all** seeded acres that appear in Box (N) of the applicant's *2006-07 Delivery Permit Book* in the space provided in 3(a).
- Multiply the total seeded acres by the seeded acre rate (\$60.00) and enter the result in 3(a). For applicants who are applying for the irrigated rate, transfer the amount from the *Application for Irrigation Rate* form [Total (C+D+E)] to Box 3(a) on the application form.
- List the tonnes of wheat, durum, barley and selected barley that have been delivered, sold or used on the farm by anyone named in the delivery permit book. Multiply each by the rate and enter the results in the spaces provided. When determining the number of tonnes delivered, do not include storage deliveries from a previous crop year settled this crop year. Add the amounts for 3(b) through to 3(e) and enter the total in 3(f).
- In 3(g), list the total 2006-07 wheat and barley advances outstanding through this permit book through AMPA, ESCAP or SCAP by anyone named in this delivery permit book (include outstanding amount, under AMPA, SCAP and ESCAP).
- Subtract 3(f) and 3(g) from 3(a) and enter the result in Box (C) **Elevator Issuance Limitation**.

I have completed the Seeded Acres (fr	he CWB for approval be Application For Irrig om box N of applica	fore issuance of ation Rate for nt's 2006-07	a cash ticket, do not complete this section of the application form. m for grain produced under irrigation Yes No $\checkmark$	571000
			n 2006-07 by anyone named in the permit book	100
b) Wheat	tonnes x	\$ 80.00 =	s	
c) Durum	tonnes x	\$ 75.00 =	s	
d) Barley	tonnes x	\$ 35.00 =	s	1
e) Sel. Bly.	tonnes x	\$ 60.00 =	s	0
f) Add b, c, d an	d e		TOTAL	
			vances (include amounts outstanding under AMPA	2.0,000
			x C Elevator Issuance Limitation	37000 C

### The advance payment

- Record the amount the applicant is requesting in Box (D). Ensure that the applicant's request does not exceed the amounts in Boxes (A) or (B).
- Determine the amount you can issue as a first payment. If the *Declaration* and *Guarantee* has been pre-approved, that amount cannot exceed the Elevator Issuance Limitation Box (C) or \$50,000. The \$50,000 limit includes all previous advances that have been applied for or issued through the permit book by the applicant, including amounts transferred from the 2005-06 AMPA program where default has been stayed. Enter the amount in Box (E).
- Subtract the amount issued in the first payment Box (E) from the amount requested Box (D) and enter the remainder in Box (F).
- When verification is received from the CWB, issue the second payment for the approved amount Box (F).

<ul> <li>4. The Advance Payment         <ul> <li>a) Total advance applied for, must equal first and second payment (cannot exceed box A or B or, if applicable, Box 9 of the Participants' Calculation Worksheet).</li> </ul> </li> </ul>	S4112S D
b) FIRST PAYMENT paid by elevator manager at date of application (cannot exceed box C or \$50,000) For applications sent to CWB for approval before cash ticket issuance, INDICATE NIL in Box E	37000 E
c) SECOND PAYMENT to be paid by elevator manager only after verification by CWB (box D subtract box E) If no second payment, INDICATE NIL in Box F	ולא F
If total cash advance requested (box D) exceeds box C or \$50,000, CWB approval is required prior to issuing the second payment of tion includes any previous AMPA advance payment(s) (including amounts transferred from 2005-06 AMPA) issued to the applicant ti	

### Amounts exceeding \$50,000

If the total applied for, Box (D) on the Advance Application, exceeds \$50,000:

- issue a cash ticket for the first payment of \$50,000 Box (E) (cannot exceed Box (C));
- send the application with the first payment cash ticket to the CWB through your head office; and
- when verification is received from the CWB, issue the second payment for the approved amount Box (F).

### **Priority Agreement**

- 1. Once the application is completed to the end of paragraph 4, ask the applicant to list all applicable financial institutions and secured parties.
- 2. Instruct the applicant to have every financial institution and secured party complete a separate *Priority Agreement*.

Read about Priority Agreements on pages 32-33.

# **Declaration**

Have the applicant read and sign the *Declaration* section of the application form, whether or not you are issuing the advance payment cash ticket.

Please read "Signature Requirements" on pages 16-17.

# Read the *Notice to Elevator Manager* on the application form. **Ensure all provisions** have been met before sending the application to the CWB.

The advance application form consists of three copies:

- Send the white copy to the CWB as indicated below.
- Keep the yellow copy for your records.
- Give the green copy to the applicant.

The CWB must verify the following applications before a cash ticket is issued:

- Requests for a second payment or subsequent advance (where the applicant has exceeded the \$50,000 or elevator issuance limits).
- Advances for corporations, partnerships (includes joint producers), cooperatives or other business enterprises (unless they have a preapproved *Declaration and Guarantee*).

If the applicant does not have a pre-approved *Declaration and Guarantee* form, the cash ticket cannot be issued until you receive approval from the CWB. **You must still endorse the permit book now.** 

The CWB will fax you a copy of the approval letter when it becomes available. The applicant will also receive a copy of this letter in the mail.

If applicable, issue the cash ticket. Please read "Issuing cash tickets" on page 18.

The package you are preparing for your head office should include the CWB's copies of:

- completed and signed Advance Application (white copy);
- completed and signed Priority Agreement(s);
- completed and signed Application For Irrigation Rate form (if applicable);
- completed and signed Declaration and Guarantee form (if not pre-approved);
- cash ticket (if the advance was issued); and
- the CWB approval letter if this is the applicant's first advance and pre-approval was received.

The declaration section must be fully completed.