# Corporations, partnerships (includes joint producers and other business enterprises) or cooperatives

(not affected by the Related Producers' Provision)

### Forms required

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

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

### Pre-approval

Corporations, partnerships (including joint producers), cooperatives or other business enterprises can apply for pre-approval of their 2007-08 Continuing D & G form. Once you have received an authorization letter from the CWB, the applicant can receive the first cash advance payment (Box E) 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 and other business enterprises), or cooperatives for all advances applied for in the 2007-08 production period and future production periods, 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 and other business enterprises), or cooperatives 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 2007-08 *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.
- 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 49-50 for instructions on completing this form).

### **Important**

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

## How to complete a Continuing Declaration and Guarantee form

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

Only one D & G form is required for each corporation, partnership (includes joint producers and other business enterprises), or cooperative for all advances applied for in the 2007-08 production period under all farming operations and continuing into future production periods. If the structure of the company or the shareholders, members, partners 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 2007-08 advance 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.
- 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.
- Indicate if applicant is a corporation, partnership (includes joint producers) or cooperative.

#### Part 1 – Declaration

- List ALL shareholders, partners, members or owners of the corporation, partnership, or cooperative.
- 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.

Continuing Declaration and Guarantee Form (This form must be completed in ink) To knowingly make any misrepresentation or willfully furnish any false or misleaded in formation with respect to this document is an offence under both the Agricultural Marketing Programs Act (AMPA) and the Criminal Code. CWB Identification Number 2 0,0,9,9,6,6,6,6,6,6,7890 CORPORATION 9,9,7,9,19,9,0,1,3,12,3,56,7,8901 All applicants must indicate whether they are a: **☑** Corporation (check only one) Partnership Cooperative Note: Non-residents are eligible for an advance if: for a corporation, a majority of the shareholders are Canadian citizens or permanent residents; for a partnership or other association, at least fifty per cent of the profits belong to Canadian citizens or permanent residents; PART 1 - DECLARATION Individual's CWB RRI (7)Farmer John Doe pomeplace, AB PRESIDENT 50 0101010101016151419 PRODUCER oneplace, AB 50 arorar Darid 0,1,0,0,0,0,3,4,5,6 I and each of us as an individual or as a shareholder, partner, member or owner of any corporation, partnership (business enterprise) or cooperative [v] have [have not participated in a previous crop year/production period advance which is full outstanding, if any of those listed have received or participated in a previous crop year/production period advance which is still outstanding, complete this section: Production Period(s)/Crop Year(s) in which ame of Producer on Outstanding Advance ID No(s) Farmer John Dos I/We, the undersigned declare that:
a) at least one of the shareholders, partners, members or owners has attained the age of majority in the province where the farming operation is located and, where the applicant is the actual producer, is principally involved in that operation;
b) all shareholders, partners, members or owners of the corporation, partnership (business enterprise) or cooperative are listed above;
c) if applicable, each of us will/has complete(d) a Related Producers' Declaration, identifying all permit appearances and advances, including those of all related producers, knowing that no advance shall be issued until all declarations are completed. including those of all related producers, knowing that no advance shall be issued until all declarations are completed.

PART 2 - GUARANTEE (This Guarantee will constitute a continuing guarantee for all advances issued to the applicant under all permit books in which the applicant appears now and in the future)

In consideration of advance payments being made to live, the undersigned, jointly and severally guarantee that if the applicant is in default of any advance payments now or hereafter issued under the AMPA, live and each of us, will pay to the Canadian Wheat Board (CWB) the outstanding amount of the advance payment(s) on the date of default and interest accruing from the date the advance payment(s) was/were issued at the rate specified on the advance application (s), plus collection costs, until the balance is paid in full.

Without requiring any further consent or any notice (same being expressly waived) live assent and agree, and without discharging or in any way affecting our joint and several liability, that the CWB may:

i) grant extensions of time, renewals and indulgences to the applicant;
iii) abstain from taking securities from, or perfecting securities of the applicant, and accept composition from or otherwise deal with the applicant and all other persons including the undersigned or any one of us as the CWB sees fit;

Production Period 2007-08 Instructions and Important Information are on the REVERSE

Note: Upon receipt of the application,

the CWB will issue an ID number for those individuals who currently do not have one.

8. Have the applicant read and complete the rest of Part 1 - Declaration.

## Part 2 - Guarantee

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

## Part 3 - Signatures

- 11. Ensure all members of the corporation, partnership or cooperative, as listed on the form, sign their full names, record their date of birth and date signed. The D&G form will not be approved if birthdates for all individuals are not provided. 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)

- 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.
- 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.

iv) deem that all other dividends, compensations and methe applicant or from other persons or estates capab reduction of the debt or liability hereby guaranteed st gross, and the CWB shall be entitled to prove agains insolvency or winding up in respect of the whole of the shall have no right to be subrogated to the CWB in TCWB has received from such estate payment in full of the CWB shall not be bound to exhaust its recourse against its right under any lien, statutory or otherwise, before being er The Minister of Agriculture and Agri-Food Canada or any authpaid in full.  This guarantee shall continue to be binding upon me/us and refuse the properties of the state of the st	le of being app nall be conside to the estate of he said debt an espect of any s of the CWB's of the applicant on horized agent s	lied by the CWB in red payment in the applicant upon d liability and I/we uch proof until the laim. r other parties or the nt from me/us und hall proceed with c	e securities it may hold or to exercise er this guarantee.	
PART 3 - SIGNATURES IWE, THE UNDERSIGNED DECLARANT(S) AND GUARAN UNDERSTAND AND AGREE TO BE BOUND BY ALL TERI INFORMATION SET FORTH IN THIS FORM IS TRUE, COR And I/we make this solemn declaration and guarantee cons under oath. The Declaration and Guarantee must be pers and not by the Company. The Company name or seal mu	MS OF THIS D RECT AND C cientiously kn onally signed	ECLARATION AN OMPLETE. owing that it is of the by the Guarantor(	D GUARANTEE AND THAT ALL the same force and effect as if made s) named in the Declaration (Part 1)	
Signature of each Guarantor Declarant		Home Quarter (Reside		
(Do not include company name or position held)  Farmer John Doe	Date of birth (DD MM YY)	Part Sec	Date St.P4, 1/07	
Farmer John Doe George D. Producer	Date of birth (DD MM YY)    S  0  S  4  0  Date of birth (DD MM YY)	NE 18   13  27	Date	
Note: A new Declaration and Guarantee form must be complete	Date of birth (DD MM YY)	re made to the com	Date	
Note: A new Declaration and Guarantee form must be completers, members, partners or owners.	eu ii changes a	re made to the com	party structure or to the sharehold-	
PART 4 - CERTIFICATE OF NOTARY PUBLIC - ALBERTA RESIDENTS ONLY  THE CERTIFICATE OF NOTARY PUBLIC MUST BE COMPLETED IF ANY GUARANTOR(S) OF THE COMPANY APPLYING FOR THE ADVANCE PAYMENT RESIDE IN ALBERTA.  I HEREBY CERTIFY THAT:  1 A EN LE COMPANY DOE 1 A COLAR D. PRODUCER  (List all individuals named in Rar) who reside in Alberta)  of Some Place.  in the Province of				
Alberta, guarantor(s) whose signature appears in Part 3, made between SEDT 1 2007  FORMER John Dos 1 acologs D. Produces (List all individuals named in Part 1 who reside in Alberta)  (List all highlysuls Named in Part 1 who reside in Alberta)				
and the CWB, appeared in person before me and acknowledge STATEMENT OF GUARANTOR(S) I/We am/are the person(s) named in this certificate. Signature(s) of each Guarantor Declarant (Do not indicate company name or position held)  Farmer John Dol George D. Producer	ged to have exit is attisfied in have read GIVEN at this \(\frac{\frac{1}{2}\text{VE}}{2}\) under my the sign of t	ecuted the Guarant myself by examining the contents of the Guarant and and seal of of the Motary Publication of Notary Publication of Notary Publications of the Motary Publication of Notary Publications of	the Guarantor(s) that he/she/they has/ Guarantee in Part 2 and understand(s) it.  Flace  Statument  Statument  A 2007	

### Instructions for completing the Advance Application

Applicant must read the terms and conditions outlined on the advance application. Advise that by signing the application, the applicant is agreeing to the terms and conditions.

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

- Name, address, phone and fax number.
- The Declaration and Guarantee form number.
- Your station fax number to receive faxes of documents for corrections and authorization where approval is required.

2007-08 Production Period Application For Advance Payment For Threshed Grain In Storage (Program runs from April 1/07 to September 30, 2008. After-harvest advances may be issued from September 1, 2007 to March 31, 2008)  345678				
TO THE ELEVATOR MANAGER: before this application is completed, ensure that you and the applicant read and understand "Applicant's eligibility" in the 2007-08 Advance Payments Program (After-harvest) country elevator guide.				
Do not issue a cash ticket(s) to a corporation, partnership (includes joint producers and business enterprises), cooperative or a colony until the application has been verified or you have received pre-approval of the Declaration and Guarantee or Guarantee for Colonies from the CWB.				
Applicant Information This form must be completed in ink				
Applicant's Last Name First Name Middle Name	Applicant's CWB Identification Number	Day Month Year		
1 A Company	0,0,0,0,1,2,3,4,9,9	1,5,1,0,0,7		
Applicant's Address	Permit Number	Company/Delivery Point Code		
RR 1	0 , 0 , 0 , 0 , 1 , 2 , 3 , 4 , 9 , 9 ,	0, 9, 9 , 7, 9, 9, 9, 9, 0, \		
SOMEPLACE, SK Reference Number		Station Name		
		Any station		
Date of birth (DD/MM/YY)	Declaration and Guarantee/Guarantee No.	Station Telephone No.		
SOK 020 15/02/1955	2 00-12345	(306) 555-3834		
Applicant's Telephone No.	Applicant's Fax No.	Station Fax No.		
(306) 234-5678	(306) 234-5677	(306) 555-3835		

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?

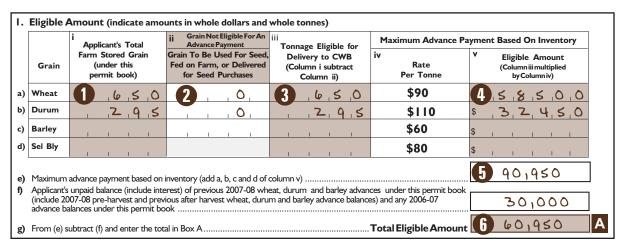
  Do you share the reporting of income or losses from this or any other farming operation with
- anyone else for the purposes of the Income Tax Act (Canada)?



### Eligible amount

- Enter the applicant's total tonnage in storage on the farm including carryover stocks and current production in column i.
  - Only include the applicant's stocks of grain.
- 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.
- 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 2007-08 wheat, durum and barley advances received (include pre-harvest advances) and any 2006-07 balances through the permit book in 1(f).
- 6. Subtract 1(f) from 1(e) and enter the result in 1(g), Total Eligible Amount.



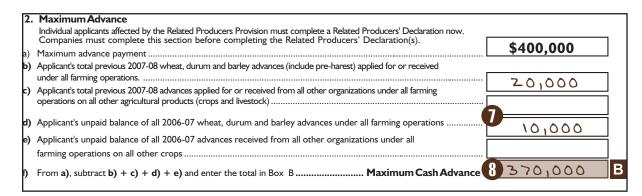
An applicant can receive up to \$400,000 under the cash advance program. Any unpaid balance on the 2006-07 cash advance will reduce this amount. Once the 2006-07 advance is repaid, the applicant can apply for additional money.

### Maximum advance

Important: The amounts of previous advances in 2(b) and 2(c) must be previous advances issued to the company. Unpaid balance of 2006-07 cash advances must be for the company. Do not include advances issued or attributed to company participants under other permit books.

- 7. Calculate the maximum cash advance by subtracting the total of 2(b), 2(c), 2(d) and 2(e) from 2(a).
- 8. Enter the amount in Box (B) Maximum Cash Advance.

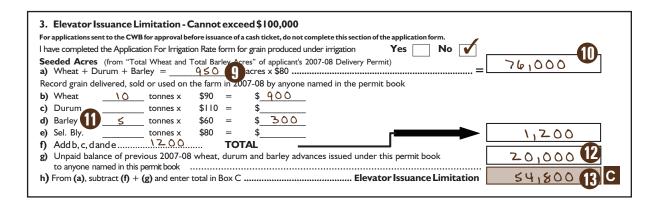
Complete paragraph 2 and skip to paragraph 4, The *Advance Payment* if the applicant does not have a pre-approved *Declaration and Guarantee*.



### **Elevator** issuance limitation

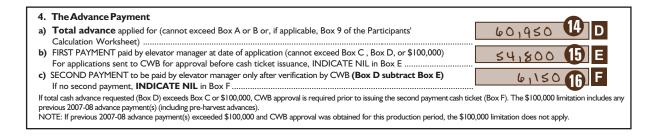
For applications sent to the CWB for approval before issuance of a cash ticket, do not complete this section of the form. Have the applicant answer the irrigation form question and if required, complete an *Application for Irrigation Rate* form (see page 34).

- 9. For applicants without irrigated acres, record all wheat and barley seeded acres in the space provided in 3(a).
- 10. Multiply the total seeded acres by the seeded acre rate (\$80.00) 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.
- 11. 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 production period. Add the amounts for 3(b) through to 3(e) and enter the total in 3(f).
- 12. In 3(g), list the total 2007-08 wheat and barley advances outstanding through this permit book by anyone named in this permit book (include pre-harvest advances).
- 13. Subtract 3(f) and 3(g) from 3(a) to determine the Elevator Issuance Limitation in Box (C).



### The advance payment

- 14. Record the amount the applicant is requesting in Box (D). This amount cannot exceed the amounts in Box (A) or Box (B).
- 15. 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 \$100,000. The \$100,000 limit includes all previous advances that have been applied for or issued through the permit book by the applicant, including pre-harvest advances. Enter the amount in Box (E).
- 16. To determine the second payment, subtract the amount issued in the first payment Box (E) from the Total Advance requested Box (D). For applications sent to the CWB for approval before cash ticket issuance, indicate NIL in Box (D).



## Amounts exceeding \$100,000

If the total applied for, Box (D) on the Advance Application, exceeds \$100,000:

- issue a cash ticket for the first payment of \$100,000 Box (E) (cannot exceed Elevator Issuance Limitation in 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 cash ticket.

### **Priority Agreement**

- Once the application is completed to the end of paragraph 4, ask the applicant to list all applicable financial institutions and secured parties.
- 2. The applicant should ensure that every financial institution and secured party complete a separate *Priority Agreement* if a pre-approved *Priority Agreement* has not been signed by a lender.

Read about Priority Agreements on pages 38-39.

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 20-21.

Under *Notice to Applicant*, have the applicant identify all organizations through which previous advances have been issued (include unpaid advances from 2006-07 crop year).

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:

- CWB copy white;
- Manager's copy yellow;
- Applicant's copy green.

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 \$100,000
  or elevator issuance limits).
- Advances for corporations, partnerships (includes joint producers), cooperatives or other business enterprises (unless they have a pre-approved *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 22.

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)

The declaration section must be fully completed.