

Instructions for changing to a joint operation or partnership

(after the delivery permit is activated for the crop year)

An actual producer who wants to change to a joint operation or a partnership must complete the following forms and send them to the CWB:

- Change to a new business name
- Continuing Declaration and Guarantee (only if there is an outstanding advance)
- CWB Delivery Contracts and Producer Payment Options Continuing Personal Guarantee (CPG)
- Direct Deposit Request form (Complete if the actual producer has direct deposit under the existing delivery permit and wants to continue, or to begin direct deposit.)

If the actual producer has an outstanding advance, please make the following change to the Continuing Declaration and Guarantee Form:

PART 2 – GUARANTEE

In consideration of the advance payment being made to (previously made to)* _____

Applicant

*add the above words and include the names of both the **previous actual producer** and the **new actual producer** in the space provided.

Any debts associated with your existing delivery permit must be paid in full before this delivery permit is transferred to the new business name. Payment can be made by cheque or credit card or through an approved repayment agreement.

Once we have received and approved all information, the CWB will cancel the existing delivery permit(s). Any outstanding CWB delivery contracts and/or Producer Payment Option (PPO) contracts will be transferred to the joint operation or partnership delivery permit. Storage payments on contracts transferred to a new business name will be calculated from the date of the transfer or January 1, 2012, whichever is later. The new business is accepting all other terms and conditions of the contract being transferred.

Outstanding cash advance balances will remain under the old delivery permit and a transfer of endorsement will be created, allowing deliveries under the new delivery permit to be applied against the outstanding balance. A cash advance that is repaid in cash will be subject to a cash refund interest assessment on the amount exceeding either 10 per cent of the issued amount or \$1,000, whichever is greater.

Deliveries made in the existing delivery permit will remain there. All future deliveries must be made in the new business name and payments will be issued in that name.

Note: Change to new business forms will be processed within five business days of receiving the application.



Change to a new business name

Please fax to: 1-204-983-8031

An actual producer who wants to change to a corporation must complete this application along with:

- a Continuing Declaration and Guarantee Form (if there is an outstanding advance)
- Direct Deposit Request (if actual producer already has direct deposit associated with current delivery permit and wants to continue, or to begin direct deposit)

An actual producer who wants to change to a joint operation or partnership must complete this application along with:

- a Continuing Declaration and Guarantee Form (if there is an outstanding advance)
- Delivery Contracts and Producer Payment Options Continuing Personal Guarantee
- Direct Deposit Request (if actual producer already has direct deposit associated with current delivery permit and wants to continue, or to begin direct deposit)

Please complete all information on this form.

Name of actual producer(s)	CWB 10-digit producer ID No.

I am/we are changing my/our farming operation into a new business name as follows:

New business name (please print)

Business registration No. (if applicable)	Farming operation contact name
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Municipality

Producer's mailing address

Producer's telephone No. ()	Alternative telephone No. (daytime/cell) ()	Producer's Fax No. ()
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E-mail address

1. Do you have an outstanding cash advance? If yes, complete a Continuing Declaration and Guarantee form.

2. Do you want to personalize the Personal Identification Number (PIN) for the new business name? YES NO
If yes, we will contact you. If no, a PIN will be automatically generated and mailed to you.

3. Do you currently have an interest in another delivery permit as a landlord or partner in a joint operation or partnership? YES NO
If yes, please list the other delivery permit number(s) _____ and indicate whether you want the other appearances changed to the new business name YES NO

READ THE FOLLOWING PARAGRAPH CAREFULLY
I/We understand and agree that any outstanding debts must be paid in full before this delivery permit is transferred to the new business name. Payment can be made by cheque or credit card or through an approved repayment agreement. Storage payments on contracts transferred to a new business name will be calculated from the date of the transfer or January 1, 2012, whichever is later. The new business is accepting all other terms and conditions of the contract being transferred.

Outstanding cash advance balances will remain under the old delivery permit and a transfer of endorsement will be created, allowing deliveries under the new delivery permit to be applied against the outstanding balance. A cash advance that is repaid in cash will be subject to a cash refund interest assessment on the amount exceeding 10 per cent of the issued amount or \$1,000, whichever is greater.

I/We understand and agree that all future grain deliveries will be credited to:
New business name (please print)

Signature(s) of actual producer(s) changing to a new business name.

Print name	Signature

Please print off, fill out and fax or mail all required forms to:
The Canadian Wheat Board, 423 Main Street, PO Box 816 Station Main, Winnipeg MB R3C 2P5 Fax: 1-204-983-8031

Continuing Declaration and Guarantee Form (This form must be completed in ink)

To knowingly make any misrepresentation or willfully furnish any false or misleading information with respect to this document is an offence under both the *Agricultural Marketing Programs Act (AMPA)* and the *Criminal Code*.

Name of corporation, partnership (business enterprise) or cooperative (applicant):	CWB Identification Number	Delivery Point Phone Number ()
	Delivery Point Code	Delivery Point Fax Number ()

All applicants must indicate whether they are a:
 (check only one) Corporation 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; for a cooperative, the majority of members are Canadian citizens or permanent residents.

PART 1 - DECLARATION

List all shareholders, partners, members or owners of the corporation, partnership (business enterprise) or cooperative.

Name Last	First	Middle	Complete Address	Individual's CWB Identification Number	Position in Company	Per cent Interest in Company
			P. O. BOX NO. OR NUMBER AND STREET TOWN OR CITY PROV. POSTAL CODE TELEPHONE NO. ()			
			P. O. BOX NO. OR NUMBER AND STREET TOWN OR CITY PROV. POSTAL CODE TELEPHONE NO. ()			
			P. O. BOX NO. OR NUMBER AND STREET TOWN OR CITY PROV. POSTAL CODE TELEPHONE NO. ()			
			P. O. BOX NO. OR NUMBER AND STREET TOWN OR CITY PROV. POSTAL CODE TELEPHONE NO. ()			

I and each of us as an individual or as a shareholder, partner, member or owner of any corporation, partnership (business enterprise) or cooperative have have not participated in a previous advance which is still outstanding. I and each of us acknowledge that any outstanding amount will affect the applicant's eligible amount. If any of the individuals listed above have received or participated in a previous production period advance which is still outstanding, complete this section:

Name of Producer on Outstanding Advance	I.D. No(s).	Production Period(s)/Crop Year(s) in which Advance Payment(s) was/were Issued

- 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.

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 _____ (applicant), I/we, the undersigned, jointly and severally guarantee that if the applicant is in default of any advance payments now or hereafter issued under the *AMPA*, I/we 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) I/we 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;
- ii) take securities from and give up the same 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;

- iv) deem that all other dividends, compensations and monies received by the CWB from the applicant or from other persons or estates capable of being applied 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 I/we shall have no right to be subrogated to the CWB in respect of any such proof until the CWB has received from such estate payment in full of the CWB's claim.

The CWB shall not be bound to exhaust its recourse against the applicant or other parties or the securities it may hold or to exercise its right under any lien, statutory or otherwise, before being entitled to payment from me/us under this guarantee.

The Minister of Agriculture and Agri-Food Canada or any authorized agent shall proceed with collection action until the account is paid in full.

This guarantee shall continue to be binding upon me/us and my/our heirs, executors, administrators and assigns.

PART 3 - SIGNATURES

I/WE, THE UNDERSIGNED DECLARANT(S) AND GUARANTOR(S), SOLEMNLY DECLARE THAT I/WE HAVE READ, UNDERSTAND AND AGREE TO BE BOUND BY ALL TERMS OF THIS DECLARATION AND GUARANTEE AND THAT ALL INFORMATION SET FORTH IN THIS FORM IS TRUE, CORRECT AND COMPLETE.

And I/we make this solemn declaration and guarantee conscientiously knowing that it is of the same force and effect as if made under oath. The Declaration and Guarantee must be personally signed by the Guarantor(s) named 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)	Date of birth (DD MM YY)	Home Quarter (Residence)					Date
		Part	Sec	TP	R	M	

Note: A new Declaration and Guarantee form must be completed if changes are made to the company structure or to the shareholders, members, partners or owners.

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:

(List all individuals named in Part 1 who reside in Alberta)

_____ of _____, in the Province of Alberta, guarantor(s) whose signature appears in Part 3, made between _____

(List all individuals named in Part 1 who reside in Alberta)

(List all individuals named in Part 1 who reside in Alberta)

and the CWB, appeared in person before me and acknowledged to have executed the Guarantee:

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)

I satisfied myself by examining the Guarantor(s) that he/she/they has/have read the contents of the Guarantee in Part 2 and understand(s) it.

GIVEN at _____,

this _____ day of _____, _____ (year)

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

Signature of Notary Public in and for the Province of Alberta.

My Commission expires: _____

DECLARATION AND GUARANTEE (D&G) FORM

Steps for pre-approval

1. Complete the D&G in full.
Photocopy the form to keep a copy for your records. You will need it when you complete the advance application form.
Send a copy to the CWB.
2. The CWB will send a letter to you and to the applicant when the D&G is approved. Keep this letter, as you will need it to complete the advance application.
3. When the applicant completes the application form, you can issue the applicable payment, up to the elevator limitation.

If the applicant completes the D&G at the same time they are applying for an advance, submit all CWB copies of documents to the CWB for approval before issuing a cash ticket.

All corporations, partnerships (business enterprises) and cooperatives must complete this form, with the exception of colonies. **Under the advance payments program, joint producers are considered partnerships, and therefore must complete D&G forms.**

Colonies complete a separate *Guarantee* that is available upon request from the CWB.

Continuing D&G form for future production periods.

The *D&G* form has been revised to enable company applicants to complete one form that applies to all farming operations. This new form will be applicable to all farming operations for this production period and continue into future years, as long as the structure of the company, its shareholders, partners (includes joint producers), members or owners do not change.

Pre-Approval

Applicants should submit their D&G forms as soon as possible to ensure that pre-approval is received. Once the D&G has been pre-approved, the applicant can receive the applicable payment, up to the elevator issuance limitation, when the advance application is completed.

INSTRUCTIONS

1. Enter the production period of the advance. Enter the applicants' name and CWB identification (ID) number. If the applicant does not have a CWB ID number, call 1-800-275-4292 to obtain a number.
2. Enter your delivery point code, phone and fax number.
3. Indicate if the applicant is a corporation, partnership (includes joint producers) or cooperative.

PART I - DECLARATION

4. For each shareholder, partner, member or owner, list:
 - full name
 - complete mailing address and telephone number
 - ID number(s) (if available) **ID numbers will be issued by the CWB for those participants who do not have one.**
 - position held in the company
 - percentage interest in the company

Note: when we receive the application, we will issue CWB ID numbers for those individuals who appear on the form but do not currently have an assigned CWB ID number.

5. Ask each shareholder, partner, member or owner to read *Part 1 - Declaration* carefully.
 - Ensure the applicant indicates whether any company participants have an outstanding advance from a previous year. If they do, list the name, CWB ID number and the year under which the previous advance was taken.

PART 2 - GUARANTEE

6. Enter the applicant's name. Ask each shareholder, partner, member or owner to read *Part 2 - Guarantee* carefully.

PART 3 - SIGNATURES

7. Ensure all members of the corporation, partnership (includes joint producers) or cooperative as listed in Part 1 **sign their full names, indicate their date of birth, home quarter if living at a rural address, and date the document.** For those who live at a rural address, record the section, township, range and meridian of their home quarter.

- Initials are not accepted.
- **Do not affix the company seal.**
- **Do not include the person's position in the company.**

Note: This section must be completed as required or the form will be returned for correction.

PART 4 - CERTIFICATE OF NOTARY PUBLIC - ALBERTA RESIDENTS ONLY

If any Guarantor(s) reside in Alberta, ensure that a Notary Public, not a Commissioner for Oaths, completes this section. Seal of office must be affixed.

8. List the complete names of all individuals who reside in Alberta, and the town or city in which the individuals reside.
9. All individuals who reside in Alberta must sign.

Important Information to get Advance Payments to you Faster!

Pre-Approval of D&G form

The Canadian Wheat Board provides for pre-approval of D&G forms to get payments to you faster. Once your D&G is pre-approved, you can receive your advance payment, up to the issuance limitation, **immediately** upon completion of the advance application.

Continuing D&G form for future production periods. The D&G enables company applicants to complete one form that applies to all farming operations. This form applies to all farming operations for this production period and continues into future years, as long as the structure of the company, its shareholders, partners, members or owners do not change. Faxed forms are accepted for corrections only.

How long will pre-approval take?

Please allow at least two weeks for the CWB to process your D&G.

How will I know if my D&G has been pre-approved?

We will send you a letter indicating that your D&G has been pre-approved. We will also fax/send a copy to the elevator where you completed the form. You will need this letter when you are completing the advance application.

What if I did not apply for pre-approval?

If you did not submit your D&G for pre-approval, send the D&G, the CWB (FIRST COPY) copy of your advance application, and all other relevant documents (Priority Agreement(s), Related Producers Declaration) to the CWB for approval before your cash advance is issued. Do not delay forwarding the advance application to the CWB for approval of the advance payment.

CWB delivery contracts and Producer Payment Options Continuing Personal Guarantee

This document must be completed by actual producers and landlords who appear on a delivery permit as a joint producer, trade name or partnership before signing a Producer Payment Option (PPO) contract.

By signing this document, individuals comprising a joint operation, partnership or trade name are jointly and severally liable for all debts and obligations for CWB delivery contracts and PPOs signed up by the joint operation, partnership or trade name.

<p>Examples where only one form is required</p>	<p>John Simpson + Mary Brown complete one form.</p> <p>Walton Farms completes one form. (The form must be signed by all individuals who are part of <i>Walton Farms</i>.)</p> <p>Brook Acres Ltd. + ABC Farms Ltd. complete one form. One signing officer for each company must sign the form and indicate their position (e.g. President).</p>
<p>Examples where more than one form is required</p>	<p>John Smith + XYZ Farms complete two forms.</p> <ul style="list-style-type: none"> one form for the joint operation <i>John Smith + XYZ Farms</i> (the form must be signed by <i>John Smith</i> and one member of <i>XYZ Farms</i> with signing authority); one form for the partnership <i>XYZ Farms</i> (the form must be signed by all individuals who are part of <i>XYZ Farms</i>). <p>Additional forms can be found online at www.cwb.ca/forms.</p>

PART 1 - Producer name (This form must be completed in ink.)

Producer name as shown on the delivery permit	CWB Producer ID No.
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PART 2 - Declaration of Guarantors

List all partners and members. (If additional space is required, please print another form from our Web site).

All guarantors must sign in Part 4 - Signatures →

	Full legal name	Contact information		
A	Name	PO Box No. or number and street		Telephone
	Company/Partnership name and position (if applicable)	Town or city	Province	Postal code
B	Name	PO Box No. or number and street		Telephone
	Company/Partnership name and position (if applicable)	Town or city	Province	Postal code
C	Name	PO Box No. or number and street		Telephone
	Company/Partnership name and position (if applicable)	Town or city	Province	Postal code
D	Name	PO Box No. or number and street		Telephone
	Company/Partnership name and position (if applicable)	Town or city	Province	Postal code
E	Name	PO Box No. or number and street		Telephone
	Company/Partnership name and position (if applicable)	Town or city	Province	Postal code
F	Name	PO Box No. or number and street		Telephone
	Company/Partnership name and position (if applicable)	Town or city	Province	Postal code

PART 3 - Guarantee

This guarantee will constitute a continuing guarantee for all delivery permits in which the producer (named in Part 1) appears, now and in the future.

In consideration of any agreements that I/we have entered into or will enter into with the CWB, I/we the undersigned, jointly and severally guarantee that if I am/we are in default under any CWB delivery contract or Producer Payment Option now or hereafter issued, I/we and each of us are responsible to pay to the CWB the entire outstanding amount of any liquidated damages or pricing damages plus collection costs, until the balance is paid in full.

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

- grant extensions of time, renewals and indulgences to the producer;
- apply all other monies owing by the CWB to the producer(s) against all outstanding amounts that are attributable to the delivery permit that is the subject of this continuing guarantee.

The CWB shall not be bound to exhaust its recourse against any one of the producers or other parties or to hold or to exercise its right under any lien, statutory or otherwise, before being entitled to payment from me/us under this guarantee.

This guarantee shall continue to be binding upon me/us and my/our heirs, executors, administrators and assigns.

PART 4 - Signatures

I/We the undersigned solemnly declare that I/we have read, understand and agree to be bound by this declaration and continuing guarantee and that all information set forth in this form is true, correct and complete.

And I/we make this solemn declaration conscientiously, knowing that it is of the same force and effect as if made under oath.

The declaration must be personally signed by the individuals named in the Declaration (Part 2). The parties cannot sign on behalf of the joint operation, trade name or partnership and must sign in their personal capacity. This Continuing Personal Guarantee may be executed in any number of counterparts and all such counterparts taken together shall be deemed to constitute one and the same instrument.

To knowingly make any misrepresentation or wilfully furnish any false or misleading information with respect to this document is an offence under the Criminal Code and the *Canadian Wheat Board Act*.

Signature of each Guarantor

A new form is required if there is an addition or removal of a partner or member.

I/We the undersigned declare that:

- a) at least one of the partners or members has attained the age of majority in the province where the farming operation is located; and
- b) all partners or members are listed in Part 2.

(Do not include partnership, trade or joint name. Each person must sign in their personal capacity.)

Signature	Date
A	
B	
C	
D	
E	
F	

Please fax completed form to the CWB at 1-204-983-8031.

Please keep a copy for your records.



Direct Deposit Request

More Prairie farmers are getting their CWB payments deposited directly into their accounts rather than receiving printed cheques in the mail.

There is no cost for this service.

How can Direct Deposit work for you?

- **FASTER.** You get access to your money earlier.
- **SECURE.** There is nothing to be lost or misplaced.
- **CONVENIENT.** The full amount of the payment is deposited into the account of your choice at your financial institution. As well, we will mail you a statement providing payment details.

Concerned about how to defer when you are getting Direct Deposit?

- You can defer payments before the deposit is made by calling the CWB toll-free line (1-800-275-4292), or online, through your e-Services account.
- You can defer payments for up to one year.
- The best way to defer is to call us in advance and indicate that all payments after a certain date are to be deferred. This information becomes part of the CWB's database and saves you the trouble of notifying us each time you want a payment deferred.

How can you get Direct Deposit for your CWB payments?

To request direct deposit of your CWB payments, please fill out the form on the next page, attach a personalized void cheque and fax or mail them to us.

Mailing address:

The Canadian Wheat Board
PO Box 816, Stn Main
Winnipeg MB R3C 2P5

Fax: (204) 983-8031

Questions?

1-800-275-4292

8 a.m. to 6 p.m. CT (Winnipeg time)

