

**Part 4A: Individual, Joint & Several/Solidary
Liability and Alternate Guarantor Form –
Single Year**

**SSFPA 2022-2023 ADVANCE PAYMENTS PROGRAM (APP) – AG COMMODITY
APPLICATION & REPAYMENT AGREEMENT**

PROTECTED “A” ONCE COMPLETED

4.0 LIABILITY AGREEMENTS

Producer Name:

APP ID:

INSTRUCTIONS

- ✓ **This form is to be used where the Administrator and signatories agree to a Liability Agreement that covers only one program year. The dollar amount entered below should be the amount of the advance taken for the program year as stated in Part 2 of the Repayment Agreement.**
- ✓ Complete one of the three following subsections, as applicable:
 - Part A – If you are the Sole Shareholder of a corporate farming business.
 - Part B – For Members, Partners or Shareholders of a Cooperative, Partnership or Corporation, as the case may be.
 - Part C – If a Letter of Guarantee will be obtained in lieu of signing to be personally or jointly & severally, or solidarily, liable.

Note: For a sole proprietor of a non-corporate farming business, the sole proprietor agrees to be personally liable by signing the Application and Repayment Agreement. Therefore, the signing of this form is not required in such circumstances.

A) INDIVIDUAL LIABILITY (for Corporation with a Sole Shareholder)

I, being the sole shareholder of the Corporation named in section 1.2 of this Application for an Advance in consideration of an advance being made to it by the Administrator, for the amount of \$_____ as stated in Part 2 of this Repayment Agreement for the _____ APP program year do hereby agree to be solely and personally liable to the Administrator or the Minister of Agriculture and Agri-Food for any amount owing by the Corporation, including all interest and penalties thereon, pursuant to the APP.

By signing this document, I understand and agree that action may be taken against me personally in accordance with section 5.0 of the Terms and Conditions of the Repayment Agreement until full repayment of the total amounts owing.

I hereunto set my hand and seal

Dated on _____ at _____

Date (YYYY-MM-DD)

Location

Print name of Shareholder clearly

Signature of Shareholder

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B) JOINT & SEVERAL, OR SOLIDARY, LIABILITY (for Cooperative, Partnership or Corporation with Multiple Shareholders)

We, being Shareholders, Members or Partners, as the case may be, of the Corporation, Cooperative or Partnership named in section 1.2 of this Repayment Agreement, in consideration of an advance being made to the Corporation, Cooperative or Partnership, as the case may be, by the Administrator for the amount of \$_____ as stated in Part 2 of this Repayment Agreement for the _____ APP program year do hereby agree to be jointly and severally, or solidarily, liable to the Administrator, or the Minister of Agriculture and Agri-Food, for any amount owing by the Corporation, Cooperative or Partnership, as the case may be, including all interest and penalties thereon, pursuant to the APP.

By signing this document, we understand and agree that action may be taken against each of us individually in accordance with section 5.0 of the Terms and Conditions of the Repayment Agreement until full repayment of the total amount owing.

I hereunto set my hand and seal

Dated on _____ at _____

Date (YYYY-MM-DD)

Location

Print name of Shareholder, Member or Partner clearly

Signature of Shareholder, Member or Partner

Print name of Shareholder, Member or Partner clearly

Signature of Shareholder, Member or Partner

Print name of Shareholder, Member or Partner clearly

Signature of Shareholder, Member or Partner

C) ALTERNATE GUARANTOR(S) – LETTER OF GUARANTEE

I, being the sole shareholder or authorized officer of the Corporation/Cooperative/Partnership, as applicable and named in section 1.2 of this Repayment Agreement, in consideration of an Advance being made to it by the Administrator, for the amount of \$_____ as stated in Part 2 of this Repayment Agreement for the _____ APP program year, do hereby confirm that I have obtained and provided to the Administrator a letter of guarantee to the Administrator from one of the following two sources (please select an option below):

- An individual or group of individuals that has sufficient financial collateral, as defined below, to guarantee the Advance amount stated in Part 2 of this Repayment Agreement, including all interest and penalties thereon, until it is fully reimbursed; or
- A financial institution that will guarantee the Advance amount stated in Part 2 of this Repayment Agreement, including all interest and penalties thereon, until it is fully reimbursed.

In determining whether or not there is sufficient financial collateral, an alternate guarantor that is an individual or group of individuals must have a positive balance sheet(s) and some combination of cash, securities, guaranteed income certificates (GICs), mutual funds, bonds and/or stocks that is sufficient to cover the value of the advance until it is fully repaid.

The letter of guarantee must be in accordance with any applicable provincial laws in the province of operation of the Corporation, Cooperative or Partnership named in section 1.2 of this Repayment Agreement. The letter of guarantee must be dated, signed by the alternate guarantor(s), and provided to the Administrator prior to the issuance of the Advance to which it pertains.

Print Shareholder/Authorized Officer Name

Signature of Shareholder/Authorized Officer

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