

Bill No. 26 of 1946

A BILL TO AMEND THE NOXIOUS WEEDS ACT

NOTE.

Section 1 of this Bill introduces a new section 24*a* dealing with seed cleaners and prohibits persons other than farmers processing their own seed grain from operating or controlling seed cleaners without a permit from the Field Crops Commissioner who is authorized to cancel or suspend the permit where grain is not being properly cleaned or weed seeds are being improperly dealt with. Subsection (4) imposes a penalty for operating a seed cleaner without a permit.

Section 2 of the Bill amends paragraph (b) of section 36. Section 36 deals with cases where a notice has been given by a weed inspector forbidding a person to seed a parcel of land with grain or other crops, and paragraph (b) makes it an offence for a person who has received such a notice to sell or lease the land without giving the purchaser or tenant a copy of the notice, if it was given between the time of making the sale or lease and the first day of January in the year preceding the time of sale. Section 2 of the Bill adds to this a provision that in any such case the purchaser or tenant if he wishes, may rescind the sale or lease within one year of the making of the sale or lease.

W. S. GRAY,
Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 26 of 1946.

An Act to amend The Noxious Weeds Act.

(Assented to _____, 1946.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Noxious Weeds Act*, being chapter 83 of the Revised Statutes of Alberta, 1942, is hereby amended by adding immediately after section 24 thereof the following new section:

“**24a.**—(1) In this section ‘seed cleaner’ means a machine used for cleaning grain or forage crop seed by the removal of weed seeds and other foreign matter therefrom.

“(2) No person other than a farmer processing seed to be used on his own farm shall operate, control or manage a seed cleaner unless and until he has obtained a permit so to do from the Field Crops Commissioner appointed pursuant to section 4 of this Act, who shall satisfy himself that the cleaning machinery to be used is of suitable type and construction and the applicant is a fit and proper person to receive the permit.

“(3) Any permit issued pursuant to this section may be cancelled or suspended without notice by the Field Crops Commissioner if he is of opinion that grain or seed is not being properly cleaned or that weed seeds are being dealt with by the permit holder or his employees or agents in such a manner as to be dangerous to crops or a menace to the land in the area where the cleaning is being done.

“(4) Any person who contravenes the provisions of subsection (2) shall be guilty of an offence and liable on summary conviction to the penalties provided by section 57.”

2. The said Act is further amended as to section 36 by adding immediately at the end of paragraph (b) thereof the following words: “and in any such case the sale, lease or letting of the land may at the option of the purchaser, lessee or tenant, as the case may be, be rescinded by the purchaser, lessee or tenant within one year of the date of the sale, lease or letting, by his mailing to the vendor, lessor or landlord, as the case may be, by prepaid registered post addressed to him at his last known address or by delivering to him personally, a notice in writing to the effect that the sale, lease or letting is rescinded and no longer in force, and upon the mailing or delivery of such notice, the sale, lease or letting shall be

rescinded and no longer in force, and the purchaser, lessee or tenant shall be entitled to recover from the vendor, lessor or landlord, as the case may be, any payments made to him pursuant to the sale, lease or letting, with interest at the rate of five per cent per annum.”

3. This Act shall come into force on the day upon which it is assented to.

THIRD SESSION
TENTH LEGISLATURE
10 GEORGE VI
1946

BILL

An Act to amend The Noxious Weeds
Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MACMILLAN.

EDMONTON:
A. Shnitka, King's Printer
1946