

Bill No. 43 of 1948.

A BILL TO AMEND THE AGRICULTURAL SERVICE
BOARD ACT

NOTE.

This Bill amends *The Agricultural Service Board Act*.

Section 14 (1) is amended. The present subsection contemplates consultations between the Field Supervisor, the representative of the Department on the Board, and the owner or occupant of the land, as to the farming practices required to restore the productivity of the land. The owner or occupant would then follow the decisions made as a result of these consultations. It was not intended that any formal and binding agreement be executed. The purpose of this amendment is merely to clarify this intention.

The amendment to section 15 (1) is also for the purpose of clarification of the present subsection without materially changing its meaning. The Board may make a recommendation to the council or to the Minister either where it is of the opinion that a declaration making the land subject to supervision would be ineffective, or where such a declaration has been made and it did prove to be ineffective. In the latter case the conditions are set out in somewhat clearer detail.

The amendment to section 15 (2) makes it clear that the Board may make its recommendation and the council or the Minister may make an order prior to the termination of any plan mutually worked out, or agreement made, under section 14. This is necessary where it is apparent that such a plan is not having the desired results and following it to its completion would merely be wasting further time and money.

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. 43 of 1948.

An Act to amend The Agricultural Service Board Act.

(Assented to _____, 1948.)

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

1. *The Agricultural Service Board Act*, being chapter 19 of the Statutes of Alberta, 1945, is hereby amended as to section 14 by striking out the words "agree upon proper farming practices", where the same occur in subsection (1) thereof, and by substituting therefor the words "work out a plan of proper farming practices which the owner or occupant shall undertake to follow and comply with".

2. The said Act is further amended as to section 15,—

(a) by striking out subsection (1) thereof and by substituting therefor the following:

"15.—(1) Where the Board,—

"(a) is of the opinion that owing to the condition of the land a declaration that the land is subject to supervision pursuant to section 13 would be ineffective; or

"(b) is satisfied that in any case where land has been declared subject to supervision pursuant to section 13,—

"(i) the Field Supervisor and the representative of the Department on the Board were unable to mutually work out a plan of proper farming practices which the owner or occupant would undertake to follow and comply with; or

"(ii) the owner or occupant has refused or neglected to follow and comply with a plan of proper farming practices mutually worked out as aforesaid; or

"(iii) the owner or occupant has made default in or failed to comply with the provisions of any agreement entered into pursuant to subsection (2) of section 14; or

"(iv) notwithstanding the provisions of any plan determined or agreement entered into pursuant to section 14, the results have been unsatisfactory;

it may recommend in writing to the council or Minister of Municipal Affairs, as the case may be, that the control of the land should be taken from the owner and occupant and that an order of reclamation of the land should be issued by the council or Minister of Municipal Affairs, as the case may be.”.

- (b) by adding immediately after the words “vested in the council or Minister of Municipal Affairs, as the case may be,”, where the same occur in subsection (2) thereof, the words “and thereupon any plan determined or agreement entered into pursuant to section 14 shall be cancelled forthwith and shall cease to have any further force or effect,”.

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

FIFTH SESSION
TENTH LEGISLATURE
12 GEORGE VI
1948

BILL

An Act to amend The Agricultural
Service Board Act.

Received and read the

First time

Second time

Third time.....

HON. MR. MACMILLAN.

EDMONTON:
A. Shnitka, King's Printer
1948