

Bill No. 58 of 1948.

A BILL RESPECTING SEED-CONTROL AREAS AND  
TO FACILITATE THE GROWING OF PURE SEED OF  
FIELD CROPS, VEGETABLES AND TUBERS

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NOTE.

This Bill enacts a new Act.

Any five occupiers of land who desire to form a seed-control area may call a public meeting of the occupiers of land within the proposed area. The Act sets out the notice required in connection with any public meeting and the procedure to be followed at the meeting. A majority of the occupiers of land present at the meeting may decide to circulate a petition for the constitution of a seed-control area.

The petition, together with proof of compliance with the conditions regarding notice of the public meeting and together with proof that the petition is signed by not less than sixty per cent of the occupiers of land in the proposed seed-control area, may be presented to the Lieutenant Governor in Council who may constitute the area as a seed-control area. The occupiers of land nominate three persons to a Seed-control Committee and the Minister of Agriculture appoints one member to it. The Committee is a body corporate and its powers with regard to the controlling facilitating and protecting the growing of seed within the seed-control area are set out in the Act. The only funds of any seed-control Committee are the voluntary contributions of seed growers and occupiers of lands within the seed-control area. No person may grow in a seed-control area any seed or crop the growing of which is prohibited by the Lieutenant Governor in Council.

The Lieutenant Governor in Council is given power to make regulations changing or altering the limits of a seed-control area, prescribing additional powers and duties for the Seed-control Committee, regulating times of meetings and procedure at meetings, prescribing the kind or variety of seed or crop to be grown within a seed-control area, and providing for inspection, testing and approval of seed, etc.

The penalty prescribed for any violation of the Act or the regulations is a maximum fine not exceeding one hundred dollars.

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. 58 of 1948.

An Act Respecting Seed-control Areas and to Facilitate the  
Growing of Pure Seed of Field Crops, Vegetables  
and Tubers.

(Assented to \_\_\_\_\_, 1948.)

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

## SHORT TITLE.

1. This Act may be cited as "*The Seed-control Areas Act*."

## INTERPRETATION.

2. In this Act, unless the context otherwise requires,—
  - (a) "Committee" means the Seed-control Committee of a seed-control area constituted under this Act;
  - (b) "Occupier" means any person in possession of land who is actually occupying and using the same, whether as owner, purchaser, lessee, or otherwise howsoever ;
  - (c) "Seed" means the seed of any field crop, vegetable or tuber ;
  - (d) "Seed-control area" means a seed-control area constituted under this Act.

3.—(1) Any five occupiers of lands within an area which they propose to have constituted a seed-control area under this Act may by public notice call a meeting of the occupiers of land within that area at a time and place named in the notice.

(2) The notice shall contain a description of the area proposed to be constituted a seed-control area.

(3) At least fifteen days before the day named for the meeting, a copy of the notice shall be posted up at each post office serving the area and at any two other conspicuous public places in the area, and shall be published in at least one issue of a newspaper published in the Province and circulating within the area.

(4) Every occupier of land within the area may attend and take part in the discussion at the meeting, and a majority in number of the occupiers present at the meeting may decide to circulate a petition for the constitution of a seed-control area under this Act.

**4.** The petition shall,—

- (a) be addressed to the Lieutenant Governor in Council, in a form prescribed by the regulations; and
- (b) contain a description of the proposed seed-control area; and
- (c) specify the name of any kind or variety of seed or crop as a seed or crop which may be grown or the growing of which may be prohibited within the proposed seed-control area or part thereof; and
- (d) state the names of three persons whom the petitioners desire to be appointed as members of the Seed-control Committee of the seed-control area; and
- (e) be accompanied by a written consent signed by each of the three persons named signifying their willingness to act.

**5.—(1)** On the presentation of the petition, accompanied by proof of compliance with section 3, and proof that the petition is signed by not less than sixty per cent in number of the occupiers of land in the proposed seed-control area, the Lieutenant Governor in Council may, subject to the provisions of subsection (2), by order constitute the lands described in the petition a seed-control area under such name as may be considered advisable, and may appoint the persons nominated in the petition, together with one other person nominated by the Minister of Agriculture, to be the Seed-control Committee of that seed-control area.

(2) In constituting the seed-control area, the Lieutenant Governor in Council may change or vary the boundaries of the seed-control area as set out in the petition.

(3) The Lieutenant Governor in Council by the order constituting the seed-control area, or by a subsequent order from time to time,—

- (a) may prescribe any kind or variety of seed or crop as a seed or crop which may be grown within the seed-control area, or part thereof; and
- (b) may prohibit the growing of any designated kind or variety of seed or crop within the seed-control area, or part thereof.

**6.—(1)** Upon the making of the order constituting the seed-control area, the members of the Committee so appointed, and their successors in office, shall become and be a body politic and corporate, under the name set out in the order, and the order shall be conclusive evidence of the regularity of all proceedings leading up to the constitution of the seed-control area and that the Committee is duly appointed and incorporated under this Act.

(2) The number of members constituting the Committee from time to time, the term of office of the members, the

making of appointments of members, and the constitution of a quorum shall be governed by the regulations; but there shall be at all times one member of the Committee who is the nominee of the Minister of Agriculture, and the other members shall be nominees of the occupiers of lands within the seed-control area.

7. Upon such conditions and subject to such provisions as may be considered proper, the Lieutenant Governor in Council may by order revoke and cancel the constitution of any seed-control area, and declare the Committee thereof to be dissolved.

8.—(1) For the purpose of controlling, facilitating, and protecting the growing of seed within the seed-control area, the Committee shall have authority to carry out and enforce the provisions of this Act and the regulations.

(2) Without in any way limiting the generality of subsection (1), the powers and duties of the Committee shall include the following:

- (a) The employment, direction, and supervision of such servants and employees as may be considered necessary to enable the Committee effectively to carry out its work, and the payment of the salaries or wages of the persons so employed;
- (b) The keeping of accurate records of the work done and of the costs and expenses incurred by the Committee;
- (c) The submission from time to time of such reports as the Minister of Agriculture may require;
- (d) The making of recommendations to the Lieutenant Governor in Council recommending the name of any kind or variety of seed or crop as a seed or crop which may be grown or the growing of which may be prohibited within the seed-control area or part thereof;
- (e) The exercise of such other powers and the performance of such other duties as may be prescribed by the regulations.

(3) The Committee shall not undertake any expenditure or incur any liability in excess of the moneys contributed for the purposes of this Act by the seed-growers and occupiers of land within the seed-control area.

9. No person shall grow or permit to grow on any land of which he is the occupier within a seed-control area, or within any part thereof, any kind or variety of seed or crop the growing of which is prohibited within that seed-control area or part thereof pursuant to any order of the Lieutenant Governor in Council under section 5 or section 10.

**10.**—(1) For the purpose of carrying into effect the provisions of this Act according to their true intent, the Lieutenant Governor in Council may make such regulations as he considers necessary or advisable.

(2) Without in any way limiting the generality of subsection (1), the Lieutenant Governor in Council may make regulations or orders,—

- (a) defining, redefining, reducing, or extending the limits of a seed-control area;
- (b) prescribing the powers and duties of Committees under this Act, the number of members constituting a Committee, the term of office of members, the manner of nominating and appointing members, and the number of members required to constitute a quorum;
- (c) regulating the times of meetings and the manner of calling and conducting meetings of occupiers of lands within a seed-control area, and the method of voting and the qualification of voters at those meetings;
- (d) prescribing the methods of seed-control work to be followed by the Committee in respect of any seed-control area;
- (e) prescribing any kind or variety of seed or crop as a seed or crop which may be grown within a seed-control area, or part thereof;
- (f) prohibiting the growing of any designated kind or variety of seed or crop within the seed-control area, or part thereof;
- (g) defining a variety area or areas within a seed-control area and prescribing the variety or varieties of seeds or crops which may be grown, or the growing of which is prohibited within any variety area so defined;
- (h) cancelling any or all variety areas;
- (i) providing for the inspection, testing, and approval of the seed so grown or produced and the inspection of seed-control and variety areas;
- (j) requiring and compelling the occupiers of lands within any seed-control area to prevent the blossoming or maturing on the lands occupied by them of seed-bearing plants or crops injurious or which might become injurious to any seed grown in that area pursuant to this Act;
- (k) regarding such other matters or things as may be deemed advisable, expedient or necessary to carry out the purposes and provisions of this Act.

**11.** Any person who violates any provision of this Act or the regulations, or who hinders or obstructs the Committee or any member, servant, or employee of the Com-

mittee in the performance of its or his duties or powers under this Act, shall be liable, on summary conviction, to a fine not exceeding one hundred dollars.

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

No. 58

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FIFTH SESSION  
**TENTH LEGISLATURE**

12 GEORGE VI

1948

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**BILL**

An Act respecting Seed-Control Areas  
and to Facilitate the Growing of  
Pure Seed of Field Crops, Vegetables and Tubers.

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Received and read the

First time .....

Second time .....

Third time .....

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HON. MR. MACMILLAN.

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EDMONTON:  
A. Shnitka, King's Printer