

Bill No. 122 of 1949.

A BILL PROVIDING FOR THE CONTROL OF THE MARKETING OF COARSE GRAIN WITHIN ALBERTA

NOTE.

This Bill enacts a new Act to be known as "The Coarse Grain Marketing Control Act".

The purpose of the Act is to provide for the regulation of the marketing of coarse grain locally within the Province.

"Coarse grain" for the purpose of this Act is defined as meaning oats, barley and any oat product or barley product. The terms "oat product" and "barley product" are also defined.

The Act prohibits producers from selling coarse grain in the Province for delivery within the Province to any person other than The Canadian Wheat Board. All persons other than The Canadian Wheat Board are prohibited from purchasing coarse grain within the Province for delivery within the Province. Exception to these general prohibitions may be made by regulations of the Lieutenant Governor in Council. An exception is also provided in the case of a producer selling to an owner or producer of live stock or poultry who is purchasing the coarse grain for his own use.

The Lieutenant Governor in Council is empowered to make regulations excluding any kind of coarse grain or any grade or quality of coarse grain from the provisions of the Act either in whole or in part and either generally or for any period.

A penalty for contravention of the Act is provided amounting to a maximum of five hundred dollars fine or to imprisonment for a term not exceeding six months or to both fine and imprisonment.

Any contract or agreement for the sale, purchase or transportation of coarse grain in contravention of the Act is void.

The Act does not apply to the sale or purchase of coarse grain for delivery in another Province or outside of Canada.

The Act comes into force on a day to be fixed by proclamation by the Lieutenant Governor in Council.

KENNETH A. MCKENZIE,

Acting Legislative Counsel.

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

BILL

No 122 of 1949.

An Act Providing for the Control of the Marketing of Coarse Grain within Alberta.

(Assented to ,1949.)

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

1. This Act may be cited as "The Coarse Grain Marketing Control Act".
2. (1) In this Act, unless the context otherwise requires,
 - (a) "barley product" means any substance produced by processing or manufacturing barley alone or together with any other material or substance designated by the Lieutenant Governor in Council by regulation as a barley product for the purposes of this Act;
 - (b) "The Canadian Wheat Board" means the board established under the provisions of The Canadian Wheat Board Act, 1935;
 - (c) "coarse grain" means oats, barley, and any oat product or barley product;
 - (d) "oat product" means any substance produced by processing or manufacturing oats alone or together with any other material or substance designated by the Lieutenant Governor in Council by regulation as an oat product for the purposes of this Act;
 - (e) "producer" means a producer of grain, live stock or poultry;
 - (f) "regulation" means a regulation made by the Lieutenant Governor in Council under this Act.
- (2) Unless it is otherwise provided in this Act or the context otherwise requires, words and expressions used in this Act have the same meaning as in The Canadian Wheat Board Act, 1935.
3. The purpose and intent of this Act is to provide for the regulation of the marketing of coarse grain locally within the Province.
4. (1) Except as permitted by the regulations of the Lieutenant Governor in

Council and subject to the provisions of subsection (2),---

- (a) no producer shall sell or agree to sell coarse grain situated in the Province of Alberta for delivery within the Province to any person other than The Canadian Wheat Board;
- (b) no person shall purchase or agree to purchase coarse grain situated in the Province of Alberta for delivery within the Province unless such coarse grain is purchased on account of The Canadian Wheat Board.

(2) Notwithstanding the provisions of subsection (1),---

- (a) a producer may sell or agree to sell coarse grain situated in the Province of Alberta for delivery to a producer or to an owner of live stock or poultry within the Province;
- (b) a producer or an owner of live stock or poultry may purchase or agree to purchase coarse grain situated in the Province of Alberta either for delivery within the Province or for his own use

5. The Lieutenant Governor in Council may make regulations,---

- (a) prescribing forms of documents required for the purposes of this Act;
- (b) excluding any kind of coarse grain or any grade or quality thereof, or coarse grain produced in any area in the Province, or any person or class of persons from the provisions of this Act, either in whole or in part, and either generally or for any period;
- (c) providing for any other matter necessary to give effect to the provisions of this Act.

6.(1) Every person who contravenes or fails to comply with this Act or any regulations shall be guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding six months, or to both fine and imprisonment.

(2) If a corporation is guilty of an offence under this Act, any officer, director or agent of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence, is a party to and guilty of the offence.

7. Any contract or agreement for the sale, purchase or transportation of coarse grain in contravention of any provision of this Act or of any regulation shall be void.

8. Nothing in this Act contained shall apply to the sale or purchase or to an agreement to sell or to purchase coarse grain for delivery in another Province or outside of Canada.

9. This Act shall come into force on a day to be fixed by proclamation of the Lieutenant Governor in Council.

No. 122

FIRST SESSION

ELEVENTH LEGISLATURE

13 GEORGE VI

1949

B I L L

An Act Providing for the
Control of the Marketing
of Coarse Grain within
Alberta

Received and read the

First time.....

Second time.....

Third time.....

Hon. Mr. Ure..
