

BILL

No. 1 of 1952.

An Act respecting The Bulk Oil and Gas Agents Association.

Short Title.

1. This Act may be cited as "*The Oil Agents Association Act*". Short title

Interpretation.

2. In this Act, unless the context otherwise requires,—
- (a) "association" means the Alberta Bulk Oil Agents Association; Interpretation "association"
 - (b) "member" means a member in good standing of the association. "member"
 - (c) "executive council" means the executive council of the association; "executive council"
 - (d) "bulk agent" means a person selling or distributing petroleum products in wholesale quantities; "bulk agent"
 - (e) "agent" means a person selling, distributing petroleum products in bulk for remuneration; "agent"
 - (f) "secretary" means secretary, secretary-treasurer, secretary-manager or the general secretary-treasurer of the association. "secretary"

The Oil Agents Association.

3. (1) There is hereby established and constituted under the name The Oil Agents Association a body corporate and politic. Constitution of Oil Agents Association
- (2) The association may take any measure not inconsistent with the provisions of this Act or of any Act or regulation of the Province, which it deems necessary in order to give effect to any policy adopted by it with respect to any question or matter, directly or indirectly affecting the wholesale oil business. Power to give effect to policies

Objects.

4. The objects of the Association shall be,—
- (a) to advance and promote the cause of the oil and gasoline business in the Province; Objects of association Cause of oil and gasoline business

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| Status of oil and gasoline business | (b) to raise the status of the oil and gasoline business; |
| Interests of oil agents | (c) to promote and advance the interests of agents and to secure conditions which will make possible the best business service; |
| Public interest | (d) to arouse and increase public interest in the gasoline and oil business; |
| Other bulk agents organizations | (e) to co-operate with other bulk oil agents organizations in the provinces of Canada, having the same or like aims and objects. |

Membership.

5. (1) All persons carrying on the business of selling wholesale and distributing petroleum products in the Province of Alberta shall as a condition of their employment or continued employment be members of the association.

Notice of employment (2) When an agent enters upon any contract of engagement with any oil company of any district in the Province, the company employing him, shall within 60 days give notice forthwith in writing to the secretary of the association of the date of his commencement of employment and in such case the oil company may employ the agent unless and until the association notifies it in writing that the agent is not a member.

(3) The following persons shall be eligible for membership in the association: agents carting, selling or dispensing oil and gasoline in bulk.

Members of the association **6.** The association shall consist of a federation of local associations and members at large.

By-laws.

By-laws **7.** (1) The association in general meeting may pass by-laws not inconsistent with the provisions of this Act or regulation of the Province respecting,—

Executive council and officers (a) the election of the executive council and officers of the association;

Local association (b) the formation, government, management and dissolution of local associations;

Its property and its affairs (c) the management of its property and affairs and its own internal organization and administration;

Fees (d) the maintenance of the association and the fixing and collecting of monthly and other fees;

Meetings (e) the time, place and conduct of the annual and other meetings of the association.

Discipline (f) discipline, including the suspension and expulsion of members;

Other matters (g) all such other matters as may be deemed necessary or convenient for the management of the association and the promotion of its welfare or the conduct of its business.

(2) The association may also amend, alter or repeal any by-law. Amendment of by-laws

(3) No such by-laws or amendments or repeals thereof relating to discipline shall be valid or take effect until approved by the Lieutenant Governor in Council. Approval of by-laws and amendments

(4) Any witness failing to attend before the discipline committee constituted pursuant to the by-laws of the association relating to discipline in obedience to a notice requiring him to attend and give evidence before the committee or failing to produce any books, papers or other documents or in any way to comply with the notice, or refusing to be sworn or to answer any question allowed by the committee shall be liable to attachment upon application by notice of motion to a judge of the Supreme Court and may be punished as for contempt of court; and where the witness is a member of the association whose conduct is being investigated, such failure or refusal shall be deemed unprofessional conduct within the meaning of the by-laws of the association relating to discipline. Failure of witness to attend before discipline committee and punishment

Government of Association.

8. (1) The association shall be governed by an annual general meeting to be held in December each year, or at such other time as may be deemed expedient by the executive council. Annual general meeting to govern association

(2) The annual general meeting shall be composed of the officers, the executive council and the delegates from local associations, as provided by the by-laws. Persons to compose meeting

9. (1) The business of the association shall be transacted and carried on by the executive council, to be elected or appointed as provided in the by-laws. Transaction of business by executive council

(2) The executive council shall be composed of the officers of the association and at least seven others to be elected by districts. Persons to compose executive council

10. The fees of members of the association shall be those fixed from time to time by the by-laws. Fees of members

11. (1) At the end of each month any oil company in the Province is hereby empowered and shall call from the agent or retain from the salary or commission of each and every agent employed by them the amount of membership dues fixed and prescribed by the association, and all monies so obtained shall be deemed to be a payment on account of membership dues by the agents from whom the sum has been retained. Retention of membership dues by oil companies from oil agents

(2) The total of such money so collected shall be forwarded at the end of each month to the association.

Oil Agents Appeal Board.

Constitution
of board

12. (1) There shall be constituted a board to be known as the Oil Agents Appeal Board consisting of three members, one of whom shall be appointed by the executive council and two by the Lieutenant Governor in Council.

Powers and
duties of
board

(2) It shall be the duty of the Oil Agents Appeal Board and it shall have power,—

(a) to appoint a chairman and secretary;

(b) to serve as a board of appeal in case of suspension or expulsion or other disciplining of members of the association, or to investigate on the order of the court cases involving suspension or cancellation of agents contracts.

Appeals to
board

13. In the event of any agent being suspended or expelled from membership in the association or otherwise disciplined by the executive council such agent shall be entitled to appeal to the Oil Agents Appeal Board and in case the board confirms the decision of the executive council, the association may advise the oil company to suspend or cancel the contract of the agent or suspend the employment of such agent.

Penalty.

Violation
of Act an
offence

Penalty

14. Every person violating any provision of this Act or any of the by-laws made thereunder shall be guilty of an offence and liable on summary conviction to a fine of not more than twenty-five dollars and costs.

Coming
into force

15. This Act shall come into force on the first day of July, 1952.

FIFTH SESSION
ELEVENTH LEGISLATURE

1 Elizabeth II

1952

BILL

An Act respecting The Bulk Oil and
Gas Agents Association.

Received and read the

First time

Second time

Third time

MR. HALMRAST.
