

No. 79

3rd Session, 15th Legislature, Alberta
14 Elizabeth II

BILL 79

A Bill to amend The Agrologists Act

HON. MR. STROM

Explanatory Note

1. This Bill will amend chapter 11 of the Revised Statutes.

2. The definition of agrology is new. The definition of Coordinating Council replaces the definition of General Faculty Council in clause (d). The definition of "practising agrology" presently reads:

- (g) "practising agrology" means engaging in a professional capacity in investigating, teaching, demonstrating, experimenting in or in advising on scientific principles and practices relating to
 - (i) the cultivation, production, improvement, use and protection of agricultural plants,
 - (ii) farm forestry,
 - (iii) the raising, feeding, improvement, use or protection of farm animals, poultry or bees,
 - (iv) the production and protection of milk and its products,
 - (v) the classification, cultivation, use, fertilization, conservation and improvement for agricultural purposes of arable, forest and range lands,
 - (vi) the making of economic surveys of any aspect of the agricultural industry,
 - (vii) the management of farms,
 - (viii) the agricultural use of machinery and equipment, and
 - (ix) the investigation and control of agricultural plant and animal pests;

BILL

No. 79 of 1966

An Act to amend The Agrologists Act

(Assented to _____, 1966)

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

1. *The Agrologists Act* is hereby amended.

2. Section 2 is amended

- (a) by adding the following clause after clause (a):
 - (a1) "agrology" means the acquisition or application of scientific knowledge relating to agriculture;
- (b) by adding the following clause after clause (b):
 - (b1) "Co-ordinating Council" means the Co-ordinating Council of the University of Alberta;
- (c) by striking out clause (d),
- (d) by striking out clause (g) and by substituting the following:
 - (g) "practising agrology" means engaging in a professional capacity in the application of scientific principles and practices relating to agriculture and, without restricting the generality of the foregoing, includes advising, demonstrating, teaching, inspecting, regulating or conducting research in respect of
 - (i) the cultivation, production, improvement, use or protection of agricultural plants,
 - (ii) the raising, feeding, improvement, protection or use of farm animals, poultry or bees,
 - (iii) the production, processing, marketing, financing or protection of agricultural products and supplies,
 - (iv) the classification of soils,
 - (v) the cultivation, use, fertilization, conservation or improvement of soils for agricultural and related purposes,

3. Section 4, subsection (2) presently reads:

(2) The first council shall consist of the persons named in subsection (1) of section 3 who hold office until their successors are elected at the second general meeting of the Institute.

The present subsection (2) is now obsolete. The new subsection (2) sets out the composition of the council.

4. Section 6, subsections (1) and (3) presently read:

6. (1) At the second general meeting of the Institute a new council shall be elected in accordance with the by-laws of the Institute.

(3) The Institute by by-law may vary the number of council members.

Subsection (1) is obsolete as it refers to the second general election. It will now state explicitly what can presently only be inferred from other provisions in the Act.

5. Section 7 reads:

7. There shall be a president and a vice-president of the Institute who shall be elected as provided in the by-laws of the Institute.

The content of this section is now dealt with in sections 8 and 12 (1) of the Act. See clauses 6 and 8 of this Bill.

6. Section 8, subsections (1) and (3) presently read:

8. (1) The president shall be elected annually, and holds office until his successor is elected.

(3) The vice-president shall be elected annually, and has all the powers of the president during the absence of the president.

The tenure of office of the president will be provided for in the by-laws.

7. Section 9 presently reads:

9. (1) The members of the council, subject to subsection (2), hold office for a term of two years, one half of the members retiring each year.

(2) Of the members elected to the council at the first election, those who received the lowest number of votes in the election, hold office for one year only.

(3) Each president on retirement from office shall be a member of the next council.

The subject matter of subsection (1) will now be covered in the new section 6, subsection (1). See clause 4 of this Bill.

The reference to the retiring president will now be found in the new section 4, subsection (2). See clause 3 of this Bill.

- (vi) the making of economic, statistical or sociological studies of any aspect of the agricultural industry,
- (vii) the utilization or control of energy or water for agricultural purposes,
- (viii) the agricultural use of buildings, structures, machinery or equipment, and
- (ix) the identification or control of pests of agricultural plants or animals;

3. Section 4 is amended by striking out subsection (2) and by substituting the following:

- (2) The council shall consist of
 - (a) the president, the president-elect and immediate past president, and
 - (b) the persons elected as members of the council pursuant to the by-laws of the Institute or appointed as members of the council pursuant to section 10.

4. Section 6 is amended

- (a) by striking out subsection (1),
- (b) as to subsection (3) by striking out the word “vary” and by substituting the word “determine”.

5. Section 7 is repealed.

6. Section 8 is amended

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

8. (1) The president shall be elected annually in accordance with the by-laws of the Institute.

- (b) as to subsection (3) by adding after the words “elected annually” the words “by the council from among its members”.

7. Section 9 is repealed.

8. Section 12, subsections (1), (2), (3) and (4) read:

12. (1) The council shall appoint a member or members in good standing to be the registrar and the secretary-treasurer of the Institute.

(2) One person may be appointed to both the offices of registrar and secretary-treasurer.

(3) The council shall appoint such other officers as are necessary for carrying out this Act.

(4) All officers hold office during the pleasure of the council.

9. Section 13, subsections (2) and (4) presently read:

(2) The first annual meeting of the Institute shall be held within nine months after the coming into force of this Act.

(4) The secretary-treasurer upon the written request of ten members in good standing shall convene a general meeting of the Institute.

10. Section 19, subsection (2), clauses (a) and (d) and subsections (3) and (4) presently read:

(2) Without restricting the generality of subsection (1), the Institute may pass by-laws with respect to

(a) the election of the council,

.....

(d) the appointment of such officers, in addition to those provided for in section 12, as are necessary to carry out the purposes of the Institute, and the duties of such officers,

(3) The secretary-treasurer shall send to the Minister of Agriculture a certified copy of every by-law and every amendment and repeal of a by-law within seven days from the date of the passing thereof.

(4) The by-law, amendment of a by-law or repeal of a by-law is effective on the expiration of thirty days from the date of the delivery of the certified copy thereof to the Minister unless in the meantime the by-law, amendment or repeal is disallowed by the Minister.

As to the new clause (e1), see clause 15 of this Bill.

8. Section 12 is amended by striking out subsections (1) to (4) and by substituting the following:

12. (1) The officers of the Institute are

- (a) the president, the president-elect and the vice-president,
- (b) the registrar, the secretary and the treasurer, and
- (c) any officers who may be appointed by the council or elected pursuant to the by-laws of the Institute.

(2) The registrar, the secretary and the treasurer shall be appointed by the council from among the members of the Institute.

(3) The offices of registrar, secretary and treasurer or any two of them may be held by the same member.

(4) All officers appointed by the council hold office during pleasure.

9. Section 13 is amended

- (a) by striking out subsection (2),
- (b) by striking out subsection (4) and by substituting the following:

(4) The secretary upon the written request of ten members in good standing shall convene a general meeting of the Institute and in the absence of the president and the vice-president at the meeting so convened shall, notwithstanding section 14, act as chairman for the purposes of opening the meeting and electing a member as chairman for that meeting.

10. Section 19 is amended

(a) as to subsection (2)

- (i) by striking out clause (a) and by substituting the following:

- (a) the election of the president and the members of the council referred to in clause (b) of subsection (2) of section 4,

- (ii) by striking out clause (d) and by substituting the following:

(d) the election of, or the appointment by the council of, any officers in addition to those mentioned in section 12, and the duties of those officers,

- (d1) the appointment by the council of committees for any purpose, and the duties of those committees,

- (iii) by adding the following clause after clause (e):

- (e1) the suspension or expulsion of a member, without proceedings under section 30, for non-payment of a fee, fine or penalty owing by him to the Institute, and the

11. The present sections 20 and 22 are replaced by new sections 20 and 21 which revise and consolidate the rules governing eligibility for membership in the Institute. The new section 22 is the present section 21 revised.

Sections 20 and 22 presently read:

20. Upon payment of the proper fees

- (a) a person who
 - (i) was on the thirty-first day of December, 1946, a graduate of at least three years' standing in agriculture of a university or college recognized by the General Faculty Council,
 - (ii) was practising agrology at the time of the coming into force of this Act,
 - (iii) is, in the opinion of the council, qualified to practise agrology within the Province of Alberta, and
 - (iv) produces to the council within six months of the coming into force of this Act satisfactory proof of his qualifications for membership,
 - (b) a person who
 - (i) is a graduate of three years' standing in a faculty other than agriculture of a university or college recognized by the General Faculty Council,
 - (ii) makes application to the council for registration, and
 - (iii) satisfies the council by examination or otherwise that he possesses qualifications similar to those required by section 22 by reason of experience or training,
 - (c) a person who
 - (i) is a registered member of a professional agricultural body having similar standards of qualifications for membership to those required by section 22, and
 - (ii) produces to the council a certificate of membership in good standing in such body and an application for transfer of registry duly endorsed,and
 - (d) a bona fide resident of the Province of Alberta who
 - (i) files within twelve months after the coming into force of this Act an application with the council in that behalf, and
 - (ii) satisfies the council by credentials or otherwise that he, by reason of experience or training, possesses qualifications similar to those required by section 22,
 - (e) a bona fide resident of the Province who
 - (i) has obtained from the University of Alberta, or from a university or college recognized by the General Faculty Council, a degree in agriculture or any degree deemed by the General Faculty Council to be the equivalent of a degree in agriculture, and
 - (ii) has been actively engaged in farming operations and in the practice of agrology or either for a period of at least three years following graduation,
- may be registered as a member of the Institute and receive a certificate in Form A in the Schedule.

22. (1) A person who is of the age of twenty-one years and has shown himself to be of good character and reputation and who

- (a) has obtained
 - (i) a degree in agriculture from the University of Alberta, or from a university or college recognized by the General Faculty Council, or
 - (ii) a degree deemed by the General Faculty Council to be equivalent to the degree in agriculture,
- (b) satisfies the council
 - (i) that after obtaining the degree, he has completed a three-year training period in accordance with the provisions of section 21, or
 - (ii) that he has had equivalent training and practical experience, and
- (c) has passed the examination required by the General Faculty Council,

is entitled to membership in the Institute.

(2) For the purpose of computing the three-year training period required under clause (b) of subsection (1), the council may count time spent in post graduate studies

- (a) at the University of Alberta, or
 - (b) at another college or university recognized by the General Faculty Council,
- as part of the mentioned three-year training period.

(3) The General Faculty Council may by a certificate in writing dispense with the examination required by clause (c) of subsection (1).

terms and conditions, including the imposition of a penalty, upon which a person so suspended or expelled may be reinstated as a member,

- (b) by striking out subsections (3) and (4) and by substituting the following:

(3) A by-law, or an amendment or revocation of a by-law, that has not been approved by the Lieutenant Governor in Council is not effective.

11. Sections 20, 21 and 22 are struck out and the following are substituted:

20. (1) A person who is of the age of twenty-one years is eligible for membership in the Institute if he

- (a) satisfies the Co-ordinating Council that he

(i) has obtained a degree in agriculture from the University of Alberta, or

(ii) has obtained a degree in agriculture considered by the Co-ordinating Council to be the equivalent of a degree in agriculture from the University of Alberta, or

(iii) has obtained a degree and has passed such examinations as the Co-ordinating Council, after evaluating his degree and his subsequent experience, considers necessary to establish that his qualifications are equivalent to those of a person holding a degree in agriculture from the University of Alberta,

and

- (b) satisfies the council that he has been engaged in agrology in a professional or other capacity for a period or periods totalling three years after having obtained his degree and that the major part of that time occurred within the three-year period immediately preceding the council's approval as to the applicant's compliance with this clause.

(2) For the purpose of computing the period of three years referred to in clause (b) of subsection (1), the council may include

(a) time spent in practising agrology as a registered agrologist in training,

(b) time spent in post graduate studies at the University of Alberta or at a college or university whose standards are considered by the Co-ordinating Council to be equivalent to those of the University of Alberta, or

(c) time spent in active farming operations.

(3) A person is eligible for membership in the Institute if he satisfies the council that he holds a membership in good standing in a professional agricultural body having

12. References to General Faculty Council are changed to Co-ordinating Council and the reference to Registrar of the University of Alberta is changed to secretary of the Co-ordinating Council.

13. Section 25 presently reads:

25. The registrar shall keep a book which shall be known as the register in which shall be entered the names and addresses of all members of the Institute, and the register shall be open to inspection by the members of the Institute at all reasonable times without charge.

14. Section 26 presently reads:

26. (1) The registrar shall issue each year to all members of the Institute in good standing a certificate in such form and subject to such regulations as may be prescribed by by-law.

(2) All certificates of registration shall expire on the thirtieth day of April in the year following their issue.

(3) No person shall use the title "Agrologist" or any abbreviation thereof within the Province of Alberta unless he is the holder of a subsisting certificate of registration.

The subject matter of subsection (3) is dealt with in the present section 33.

15. Section 29 deals with cancellation of membership for non-payment of fees. This matter will now be dealt with in the by-laws under the new clause (e1) being added to section 19 (2).

16. Section 33 makes it an offence for a person other than an Institute member to use the title "agrologist" or other designations that might be taken to indicate membership in the Institute. The new subsection (2) will make it clear that the use of "agrologist in training" by a person so registered is not within the prohibition.

admission standards recognized by the council to be equivalent to those required by subsection (1).

21. Every applicant who is eligible under section 20 and who

- (a) has paid the required fees, and
- (b) is of good character and reputation in the opinion of the council,

shall be registered as a member of the Institute by the registrar and shall be issued a certificate of membership in such form and subject to such regulations as may be prescribed by by-law.

22. A person who complies with clause (a) of subsection (1) of section 20 may, on application and upon paying the fee prescribed in the by-laws, be registered with the Institute as an agrologist in training.

12. Section 24 is amended

- (a) as to subsections (1), (2), (3) and (5) by striking out the words "General Faculty Council" wherever they occur and by substituting the words "Co-ordinating Council",
- (b) as to subsections (4) and (6) by striking out the words "Registrar of the University of Alberta" wherever they occur and by substituting the words "secretary of the Co-ordinating Council".

13. Section 25 is amended by striking out the words "a book which shall be known as the register" and by substituting the words "a register".

14. Section 26 is struck out and the following is substituted:

26. Subject to the by-laws, the registrar shall issue each year to each member of the Institute in good standing a proof of membership.

15. Section 29 is repealed.

16. Section 33 is amended by renumbering the section as subsection (1) and by adding the following subsection:

(2) This section does not apply to use of the title "agrologist in training" by a person registered under the by-laws of the Institute as an agrologist in training.

17. New. Added to remove conflict.

18. The Schedule contains Form A, Certificate of Membership.
This will be covered by new section 21. See clause 11 of this Bill.

19. Commencement of Act.

17. The following section is added after section 33:

33a. Nothing in this Act applies to or affects a person registered as a member of the Alberta Veterinary Medical Association under *The Veterinary Surgeons Act* or registered as a member of the Alberta Pharmaceutical Association under *The Alberta Pharmaceutical Association Act*, in the practice of his profession.

18. The Schedule is repealed.

19. This Act comes into force on the day upon which it is assented to.

No. 79

THIRD SESSION
FIFTEENTH LEGISLATURE
14 ELIZABETH II
1966

BILL

An Act to amend The Agrologists
Act

Received and read the

First time

Second time

Third time

HON. MR. STROM
