

1970 Bill 116

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Third Session, 16th Legislature, 19 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

## **BILL 116**

**An Act to amend The Fish Marketing Act**

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THE MINISTER OF LANDS AND FORESTS

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First Reading .....

Second Reading .....

Third Reading .....

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# BILL 116

1970

An Act to amend The Fish Marketing Act

(Assented to \_\_\_\_\_, 1970)

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

**1.** *The Fish Marketing Act* is hereby amended.

**2.** The following section is added after section 4:

**4a.** (1) The owner of any plant or equipment used in storing, processing or otherwise preparing fish for market which

(a) at the date this Act was assented to, met the standard requirements set out by the Fish Inspection Regulations of the *Fish Inspection Act* (Canada), and

(b) was in use by the owners until rendered redundant by reason of the operation of the Corporation, may apply to the Minister for the payment of compensation for the value thereof.

(2) Upon receiving an application for compensation pursuant to subsection (1), the Minister shall determine the eligibility of the applicant for compensation and the amount thereof.

(3) Any person who believes himself aggrieved by a decision of the Minister made pursuant to subsection (2) may, by originating notice of motion, appeal the Minister's decision to a judge of the Supreme Court whose determination shall be binding on both parties.

**3.** Section 8 is amended by striking out subsection (2) and by substituting the following:

(2) Notwithstanding subsection (1) a fisherman may in the case of fish caught by him market it directly for domestic consumption by the purchaser and his family but may not dispose of fish to or through any person operating directly or indirectly a retail or wholesale outlet, restaurant, or through any other business outlet.

## **Explanatory Notes**

**1.** This Bill amends chapter 36 of the Statutes of Alberta, 1969.

**2.** Application for compensation from the Minister and appeal.

**3.** Sale of fish. Section 8, subsection (2) presently reads:

(2) Subsection (1) does not apply in respect of fish that are marketed by a fisherman or a retail store for domestic consumption by the purchaser and his family.

(2a) Subsection (1) does not apply to fish purchased from the Corporation.

**4.** The following section is added after section 8:

**8a.** No wholesale or retail store shall buy, sell, agree to sell, offer to sell, or have in its possession any fish that have not been first purchased from the Corporation.

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

**4. Self-explanatory.**