

1976 Bill 211

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Second Session, 18th Legislature, 25 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 211**

THE TEMPORARY NON-RESIDENT FARM OWNERSHIP ACT

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MR. NOTLEY

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First Reading . . . . .

Second Reading . . . . .

Third Reading . . . . .

*Bill 211*  
*Mr. Notley*

# **BILL 211**

1976

## **THE TEMPORARY NON-RESIDENT FARM OWNERSHIP ACT**

*(Assented to \_\_\_\_\_, 1976)*

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

**1.** In this Act,

- (a) "Board" means the Alberta Farm Ownership Review Board established pursuant to section 5;
- (b) "farm land" means real property that is situated outside of a city, town, village or hamlet and that is used or is capable of being used for farming but excludes:
  - (i) mineral rights in such real property; and
  - (ii) lands used for the purpose of extracting, processing, storing or transporting minerals;
- (c) "Minister" means the member of the Executive Council to whom the administration of this Act is assigned;
- (d) "non-resident" means a person who is not a resident;
- (e) "resident" means:
  - (i) an individual who resides in Alberta for one hundred and eighty three days or more a year;  
or
  - (ii) a farmer who resides outside Alberta but within twenty miles of the border of Alberta for one hundred and eighty three days or more a year.

**2.** A non-resident shall not be permitted to purchase or otherwise acquire farm land in Alberta after March 31, 1976, except as provided in section 3.

**3.** (1) Notwithstanding section 2 a non-resident may purchase or acquire farm land from his resident parent.

(2) Notwithstanding section 2 a non-resident may purchase or acquire farm land if such purchase or acquisition is pursuant to a mortgage or agreement for sale entered into prior to April 1, 1976.

4. The Registrar of Land Titles shall not register the transfer of any farm land unless accompanied by a statutory declaration by the transferee that

(a) he is resident, or

(b) he is entitled to take title pursuant to section 3.

5. The Lieutenant Governor in Council shall establish an Alberta Farm Ownership Review Board, consisting of not less than three members, to administer this Act.

6. The Lieutenant Governor in Council may make regulations defining the powers and duties of the Board and establishing the level of remuneration to be paid to members of the Board providing that funds therefor have been appropriated by vote of the Legislative Assembly.

7. The Board shall be responsible to the Minister in the performance of the duties and exercise of the powers imposed or conferred upon it by or pursuant to this Act.

8. (1) This Act comes into force on the day upon which it is assented to.

(2) This Act expires on June 30, 1977 unless before that date, the Lieutenant Governor in Council, pursuant to a resolution of the Legislative Assembly, makes an order to the effect that this Act shall continue in force for such additional period of time as may be set out in the resolution.