

1977 Bill 206

Third Session, 18th Legislature, 26 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 206

THE ALBERTA FARM OWNERSHIP ACT

MR. NOTLEY

First Reading

Second Reading

Third Reading

Bill 206
Mr. Notley

BILL 206

1977

THE ALBERTA FARM OWNERSHIP ACT

(Assented to _____, 1977)

HER 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) "Canadian" means
 - (i) an individual who is either a Canadian citizen or a landed immigrant in Canada, or
 - (ii) a corporation in which more than 50% of the voting shares are owned directly or beneficially by or the voting thereof directed by an individual who is a Canadian citizen or a landed immigrant in Canada, or
 - (iii) a partnership which is controlled by partners who are Canadian within the meaning of subclause (i) or (ii);
- (c) "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;
- (d) "Minister" means the member of the Executive Council to whom the administration of this Act is assigned;
- (e) "non-Canadian" means a person who is not a Canadian.

2. A non-Canadian shall not be permitted to acquire an interest in farm land after March 31, 1977, except as provided in section 3.

Explanatory Notes

1. Definitions.

2. Non-Canadians not to acquire farm land.

3. (1) Notwithstanding section 2 a non-Canadian may acquire an interest in farm land from his parent, if that parent is a Canadian citizen or landed immigrant in Canada.
- (2) A non-Canadian may acquire an interest in farm land pursuant to a mortgage or agreement for sale entered into prior to April 1, 1977.
- (3) This Act shall not operate so as to contravene section 33, subsection (6) of *The Citizenship Act (Canada)*.

4. The Registrar of Land Titles shall not register the transfer of an interest in farm land after March 31, 1977 unless accompanied by a statutory declaration by the transferee that

- (a) he is a Canadian, 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 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.

7. The Lieutenant Governor in Council may make regulations

- (a) defining the powers and duties of the Board, and,
- (b) establishing the level of remuneration to be paid to members of the Board providing that funds therefor have been appropriated by the Legislature, and
- (c) prescribing procedures and forms necessary for the administration of this Act.

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

3. Exceptions.

4. Statutory declaration before registration of title.

5. Establishment of Alberta Farm Ownership Review Board.

6. Board responsible to Minister.

7. Regulations.

8. Coming into force.