

1987 BILL 7

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Second Session, 21st Legislature, 36 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 7**

**ALBERTA AGRICULTURAL RESEARCH INSTITUTE ACT**

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THE MINISTER OF AGRICULTURE

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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### ALBERTA AGRICULTURAL RESEARCH INSTITUTE ACT

(Assented to \_\_\_\_\_, 1987)

#### Table of Contents

Definitions	1
Corporation	2
Purposes	3
Powers	4
Board	5
Remuneration	6
Board duties	7
Meetings	8
Delegation of power	9
By-laws	10
Committee remuneration	11
Staff	12
Discoveries	13
Donations	14
Investments	15
Annual report	16
Transitional	17,18
Repeal	19
Coming into force	20

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

Definitions

#### 1 In this Act,

- (a) "Board" means the Board of the Institute;
- (b) "donation" includes any gift, testamentary disposition, deed of trust or other form of contribution;
- (c) "Institute" means the Alberta Agricultural Research Institute;
- (d) "Minister" means the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act.

Corporation

#### 2 There is hereby established a corporation with the name "Alberta Agricultural Research Institute" consisting of the members of the Board designated or appointed pursuant to section 5.

Purposes	<p><b>3(1)</b> The Institute may</p> <ul style="list-style-type: none"> <li>(a) co-ordinate, conduct, participate in, promote and support research in agriculture;</li> <li>(b) compile, assess and disseminate information relating to research in agriculture and information on technology related to agriculture;</li> <li>(c) fund in whole or in part research professorships or chairs established for a purpose consistent with the purposes of the Institute;</li> <li>(d) assist in providing research equipment and research facilities.</li> </ul> <p>(2) The Institute</p> <ul style="list-style-type: none"> <li>(a) shall, at the request of the Minister, advise the Minister on questions of scientific and technological methods affecting agriculture, and</li> <li>(b) shall supervise matters related to agriculture assigned to it by the Minister.</li> </ul>
Powers	<p><b>4</b> In addition to its other powers as a corporation, the Institute may</p> <ul style="list-style-type: none"> <li>(a) make grants in accordance with the by-laws;</li> <li>(b) charge fees for any goods, services and materials provided by the Institute;</li> <li>(c) solicit and receive donations;</li> <li>(d) enter into patent agreements, royalty agreements or commercial marketing agreements that are considered by the Board to be in the best interests of the Institute.</li> </ul>
Board	<p><b>5(1)</b> The Board of the Institute shall consist of the Dean of the Faculty of Agriculture of the University of Alberta, the Deputy Minister of Agriculture and the persons appointed by the Minister in accordance with subsection (2) to serve for the term designated in their respective appointments.</p> <p>(2) Persons appointed under subsection (1) shall include</p> <ul style="list-style-type: none"> <li>(a) 1 person employed by the University of Calgary,</li> <li>(b) 1 person employed by the Western College of Veterinary Medicine, University of Saskatchewan,</li> <li>(c) 1 representative from the Department of Advanced Education,</li> <li>(d) 1 representative from the Department of Technology, Research and Telecommunications or from the Alberta Research Council,</li> <li>(e) 1 representative from the Department of Agriculture (Canada),</li> <li>(f) 1 member of the Legislative Assembly, and</li> </ul>

(g) not fewer than 9 persons who are farmers or representatives of industries related to agriculture.

(3) The Minister shall designate the chairman of the Board from among the persons appointed pursuant to subsection (2)(g).

(4) The Deputy Minister of Agriculture is the vice-chairman of the Board and in the absence of the chairman has the powers and duties of the chairman.

Remuneration	<p><b>6</b> Members of the Board,</p> <p>(a) except for employees of a university or of the Government of Alberta or of Canada may be paid remuneration at the rates determined by the Minister, and</p> <p>(b) except for employees of the Government of Alberta or of Canada may be paid their reasonable travelling and living expenses while away from their ordinary places of residence in the course of their duties as members of the Board at the rates determined by the Minister.</p>
Board duties	<p><b>7</b> The Board shall conduct the business and affairs of the Institute.</p>
Meetings	<p><b>8</b> The Board shall meet at the times provided for in, and in accordance with, the by-laws.</p>
Delegation of power	<p><b>9</b> The Board may delegate in writing any power or duty conferred on it to a committee of the Board, a Board member or an employee of the Institute, except the power to make by-laws.</p>
By-laws	<p><b>10(1)</b> The Board may, with the approval of the Minister, make by-laws respecting</p> <p>(a) the business, operation and affairs of the Institute;</p> <p>(b) the signing of agreements on behalf of the Institute;</p> <p>(c) subject to section 5(3) and (4), the establishment of the executive of the Board and its duties and powers;</p> <p>(d) the calling of meetings of the Board and the conduct of business at those meetings;</p> <p>(e) the making of grants;</p> <p>(f) applications for grants;</p> <p>(g) the establishment of committees to advise or assist the Board in carrying out its duties;</p> <p>(h) the business, operation and meeting procedure of committees;</p> <p>(i) the payment of remuneration and expenses to committee members.</p> <p>(2) The <i>Regulations Act</i> does not apply to the by-laws of the Board.</p>

Committee remuneration	<p><b>11</b> Members of a committee established under section 10(g)</p> <p>(a) except for employees of a university or of the Government of Alberta or of Canada may be paid remuneration at the rates determined by by-law, and</p> <p>(b) except for employees of the Government of Alberta or of Canada may be paid reasonable travelling and living expenses incurred while away from their ordinary places of residence in the course of their duties as committee members at the rates determined by by-law.</p>
Staff	<p><b>12(1)</b> The Institute may enter into agreements to engage the services of persons it considers necessary and may prescribe their duties and conditions of employment and pay their fees, salary, benefits, remuneration and expenses.</p> <p>(2) The Institute may</p> <p>(a) engage the services of persons who have special, technical or other knowledge to advise it or to inquire into and report to it on matters related to the purposes of the Institute, and</p> <p>(b) pay remuneration and expenses to persons engaged pursuant to clause (a).</p>
Discoveries	<p><b>13(1)</b> All discoveries, inventions and improvements made in processes, apparatus or machines by a person while engaged under section 12 or while engaged on a project that is funded in whole or in part by the Institute, unless the Institute otherwise directs,</p> <p>(a) are vested in the Institute, and</p> <p>(b) shall be made available to the public under conditions and payment of fees or royalties or otherwise as the Institute may determine.</p> <p>(2) The Institute may pay bonuses or royalties that in its opinion are warranted to persons described in subsection (1) who have made valuable discoveries, inventions or improvements in processes, apparatus or machines.</p>
Donations	<p><b>14(1)</b> Any donation acquired by the Institute is subject to any terms and conditions stipulated by the person making the donation.</p> <p>(2) Notwithstanding the <i>Financial Administration Act</i>, any money received by the Institute from the sale, lease, exchange or disposition of a donation belongs to the Institute.</p>
Investments	<p><b>15</b> The Provincial Treasurer may, at the request of and on behalf of the Institute,</p> <p>(a) invest any funds under the control of the Institute in any securities authorized under section 50 of the <i>Financial Administration Act</i>, and</p> <p>(b) dispose of securities and reinvest the proceeds in securities authorized under clause (a).</p>

Annual report	<p><b>16</b>(1) The Board shall, after the end of each fiscal year, prepare and submit to the Minister an annual report consisting of a general summary of its activities in that year and a financial report.</p> <p>(2) The Minister shall lay a copy of the report described in subsection (1) before the Legislative Assembly if it is then sitting, and if it is not then sitting, within 15 days after the commencement of the next ensuing sitting.</p>
Transitional	<b>17</b> <i>Notwithstanding section 32(1)(a) of the Interpretation Act, the appointments of trustees under section 5 of the Alberta Agricultural Research Trust Act do not continue under this Act.</i>
Transitional	<b>18</b> <i>On the coming into force of this Act any liability or any property of the Alberta Agricultural Research Trust is deemed to be the liability or the property of the Institute.</i>
Repeal	<b>19</b> <i>The Alberta Agricultural Research Trust Act is repealed.</i>
Coming into force	<b>20</b> <i>This Act comes into force on Proclamation.</i>