

1988 BILL 3

Third Session, 21st Legislature, 37 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 3

AGRICULTURE STATUTES AMENDMENT ACT, 1988

MR. FISCHER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 3
Mr. Fischer

BILL 3

1988

AGRICULTURE STATUTES AMENDMENT ACT, 1988

(Assented to _____, 1988)

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

Dairy Board Act

1(1) *The Dairy Board Act is amended by this section.*

(2) *Section 11(2)(q) is amended by striking out “fix” and substituting “provide for and govern the fixing of”.*

(3) *The following is added after section 11:*

11.1 The Dairy Board may enter into agreements with a person, the Government of Canada, the government of a province or an agent of the Government of Canada or the government of a province respecting the production, processing, supplying, transportation, distribution, marketing and sale of milk, or any 1 or more of those functions.

Livestock and Livestock Products Act

2(1) *The Livestock and Livestock Products Act is amended by this section.*

(2) *Section 1(g) is amended*

(a) *by adding “, subject to section 13(1),” before “means”;*

(b) *by striking out “if the dealer or agent, at the time he furnishes a claim to the Minister pursuant to section 10, has owned for not fewer than 30 days the livestock that are the subject of the claim”.*

Explanatory Notes

Dairy Board Act

1(1) This section will amend chapter D-1 of the Revised Statutes of Alberta 1980.

(2) Section 11(2)(q) presently reads:

(2) Without limiting the generality of subsection (1) the regulations of the Dairy Board may

(q) fix the amounts of the assessments under section 23 and provide for any matter in connection with or incidental to assessments and levies under that section.

(3) Agreements.

Livestock and Livestock Products Act

2(1) This section will amend chapter L-24 of the Revised Statutes of Alberta 1980.

(2) Section 1(g) presently reads:

1 In this Act,

(g) "patron" means a person who in the ordinary course of his farming operation

(i) maintains livestock for the purpose of propagation or the production of livestock products, or

(ii) maintains feeder livestock for the purpose of growing or finishing or both

and includes a licensed livestock dealer or a licensed livestock dealers' agent if the dealer or agent, at the time he furnishes a claim to the Minister pursuant to section 10, has owned for not fewer than 30 days the livestock that are the subject of the claim;

(3) *Section 13 is amended*

(a) *by renumbering subsection (1) as subsection (1.1) and adding the following before subsection (1.1):*

13(1) In this section and sections 14 and 15, “patron” does not include a licensed livestock dealer or a licensed livestock dealers’ agent unless the dealer or agent, at the time he furnishes a claim to the Minister pursuant to section 10, has owned for not less than 30 days the livestock that are the subject of the claim.

(b) *in subsection (2) by striking out “subsection (1)” wherever it occurs and substituting “subsection (1.1)”.*

(3) Section 13 presently reads:

13(1) The Minister may make payment to a patron out of the Fund and on any conditions that are prescribed by the regulations if

(a) a licensed livestock dealer has failed to account or make settlement to or with a patron in accordance with the value of the livestock or livestock products supplied,

(b) section 10 has been complied with, and

(c) the claim of the patron against the licensed livestock dealer is not satisfied.

(2) Notwithstanding subsection (1), if

(a) a licensed livestock dealer has given a patron a cheque in payment of all or part of the money due from the livestock dealer to the patron, and

(b) on presentation for payment the cheque is dishonoured,

then, unless the patron presented the cheque for payment within 60 days of the date of the cheque, he is not entitled to payment from the Fund in respect thereof and an amount equal to the amount of the cheque shall be deducted from the amount otherwise payable to the patron under subsection (1).