

1996 BILL Pr5

Fourth Session, 23rd Legislature, 45 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL Pr5

FARMERS' UNION OF ALBERTA
AMENDMENT ACT, 1996

MR. McFARLAND

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill Pr5
Mr. McFarland

BILL Pr5

1996

FARMERS' UNION OF ALBERTA AMENDMENT ACT, 1996

(Assented to , 1996)

WHEREAS a petition has been presented praying for amendments to the *Farmers' Union of Alberta Act*, being chapter 98 of the Statutes of Alberta, 1959 as amended by chapter 118 of the Statutes of Alberta, 1971, and it is desirable to grant the prayer of the petition;

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

- 1 *The Farmers' Union of Alberta Act is amended by this Act.*
- 2 *The title of the Act is struck out and the following is substituted:*

WILD ROSE AGRICULTURAL PRODUCERS ACT
- 3 *Section 1 is repealed.*
- 4 *Section 2 is amended*
 - (a) *by striking out "Unifarm" and substituting "Wild Rose Agricultural Producers,*
 - (b) *by repealing clauses (a) to (n) and substituting the following:*

Explanatory Notes

1 Amends chapter 98 of the Statutes of Alberta, 1959.

3 Section 1 presently reads:

This Act may be cited as "The Farmers Union of Alberta Act."

4 Section 2 presently reads in part:

(a) *To advance on all possible occasions, the interest of farmers, farmers' co-operative organizations and specialized producer commodity groups;*

(b) *To preserve and encourage economic family farm units;*

- (a) to represent its members at the regional, provincial and national level for the benefit of all producers to create an atmosphere of co-operation and communication to ensure that areas of common concern among all producers are dealt with to the benefit of agriculture as a whole,
- (b) to strive towards sustainable farm income levels,
- (c) to work towards the establishment of fair trade practices,
- (d) to strive to maintain and improve the rural community and quality of life,
- (e) to lead the way in creation and promotion of value-added industry in rural Alberta,
- (f) to strive to provide accurate, up-to-date information to agricultural producers so they can make qualified, informed decisions relating to the day-to-day workings of their operations.

5 *Section 4 is amended by renumbering section 4 as subsection (1) and by adding the following after subsection (1):*

(2) Except as otherwise restricted herein and in addition to the powers vested in the corporation pursuant to the *Interpretation Act*, the corporation shall at all times have the capacity, rights, powers and privileges of a natural person.

6 *Section 9 is repealed and the following is substituted:*

9(1) All the income and property, real or personal, of the corporation shall be applied solely towards promotion of the

- (c) *To co-ordinate and promote the interest and efforts of the various types of agriculture through collective action;*
- (d) *To persistently study and protect the interests of the membership in relation to existing legislation and to legislation under consideration by Provincial and Federal Government and to assist in formulating and promoting provincial and national policies for agriculture;*
- (e) *To achieve farm commodity prices which will ensure to agriculture its fair share of the national income (in relation to production and investment);*
- (f) *To contribute to a high standard of living for all citizens by encouraging adequate production over a long-time period, commensurate with sound agricultural practices;*
- (g) *To promote a high standard of community life through the study of economic and social questions related to agriculture and democratic citizenship;*
- (h) *to promote the fullest possible participation and use of co-operatives and credit unions;*
- (i) *To provide members with as many direct services related to the business of farming as is practical;*
- (j) *To assist member organizations in the preparation of statements, briefs or other materials dealing with their problems and present same jointly with the member organizations;*
- (k) *To publish such pamphlets, magazines, newspapers, or such other literature as may be deemed advisable;*
- (l) *To carry out an active public relations program with all sectors of society;*
- (m) *To co-operate with similar bodies in other provinces, and when desirable, to co-ordinate efforts with such bodies in serving the above purpose;*
- (n) *To encourage the active participation and involvement of women and youth on all possible occasions.*

6 Section 9 presently reads:

9 *The corporation shall have power to distribute its profits or any part thereof among its members, and for that purpose, to declare such*

objects and purposes of the corporation as set out herein and no portion thereof shall be paid or transferred or be available by way of dividend, bonus or otherwise for the benefit of any member or members of the corporation, provided that nothing herein shall prevent the payment in good faith of reasonable remuneration or reimbursement to any person in return for *bona fide* services actually rendered or expenses actually incurred to or for the corporation.

(2) For greater clarity, the payment of any dividends to any member of the corporation is prohibited.

(3) If, upon the liquidation, winding-up, bankruptcy or dissolution of the corporation, there remain, after the satisfaction of all its debts and liabilities, any assets or funds whatsoever, the same shall not be paid to or distributed among the members of the corporation but shall be given or transferred to some other institution or institutions, having objects and purposes similar or complimentary to the objects and purposes of the corporation and which prohibits the distribution of its or their income and property amongst its or their members to an extent at least as great as is imposed on the corporation hereunder, the determination of such similarity to be within the sole discretion of the directors of the corporation.

7 *Section 11 is repealed and the following is substituted:*

11 The directors and officers of the corporation shall be elected or appointed pursuant to the by-laws, rules or regulations of the corporation.

dividends as may be from time to time provided by the by-laws, rules or regulations of the corporation.

7 Section 11 presently reads:

11 Until other directors and officers have been elected or appointed pursuant to the by-laws, rules or regulations of the corporation the following directors and officers of the said society shall be and continue to be the directors and officers of the corporation:

Directors

Uri Powell, Sexsmith, Alberta; Howard Hibbard, Nampa, Alberta; Tom Foster, Dapp, Alberta; Paul Babey, Beverdam, Alberta; Oscar Hittinger, Morinville, Alberta; S. A. Sanford, Box 58, Vegreville, Alberta; Ralph Wilson, Vermilion, Alberta; W. Hansel, Gadsby, Alberta; D. G. Whitney, R.R. No. 4, Lacombe, Alberta; L. Hilton, Strathmore, Alberta; J. A. Cameron, Youngstown, Alberta; Geo. Loree, Parkland, Alberta; A. H. Anderson, Box 327, Medicine Hat, Alberta; A. H. Anderson, Box 327, Medicine Hat, Alberta; Wayne Anderson, Bow Island, Alberta; Dean C. Lien, Warner, Alberta; Alex McCalla, 9743 89th Avenue, Edmonton, Alberta; Pansy Molen, Edmonton, Alberta.

8 *Section 14 is repealed and the following is substituted*

14 The term "extraordinary resolution" in this Act or in the bylaws, rules or regulations of the corporation shall mean a resolution

- (a) passed by a majority of not less than 2/3 of the votes cast by members who voted in respect of that resolution at a meeting, provided that not less than 21, and not more than 50, days' notice announcing the meeting and specifying the intention to propose the resolution was given, or
- (b) signed by all of the members of the corporation entitled to vote on that resolution.

9 *The following is added after section 17:*

18 The *Securities Act*, the *Business Corporations Act* and the *Companies Act* shall not apply to this corporation, including, without restriction, any of the disclosure, filing or other obligations set forth in those Acts.

Officers

Ed C. Nelson, R.R. No. 2, Brightview, Alberta; Clare Anderson, Freedom, Alberta; Mrs. C. R. Braithwaite, R.R. No. 4, Red Deer, Alberta; Henry Young, Millet, Alberta; Mrs. W. C. Taylor, Box 99, Wainwright, Alberta; A. B. Wood, Dewberry, Alberta.

8 Section 14 presently reads:

Notwithstanding the provisions of section 13 or the provisions of the by-laws of the said society, it is hereby provided that the term "extraordinary resolution" in the by-laws of the corporation shall henceforth mean a resolution which has been passed by a majority of not less than two-thirds of the delegates of the corporation entitled to vote as are present in person at an annual convention of which not less than ten days' notice specifying the intention to propose the resolution has been duly given.