

2022 Bill 206

Third Session, 30th Legislature, 71 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 206

PROHIBITING OWNERSHIP OF AGRICULTURAL LANDS (PENSION PLANS AND TRUST CORPORATIONS) ACT

MR. VAN DIJKEN

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 206
Mr. van Dijken

BILL 206

2022

PROHIBITING OWNERSHIP OF AGRICULTURAL LANDS (PENSION PLANS AND TRUST CORPORATIONS) ACT

(Assented to _____, 2022)

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

Amends RSA 2000 cA-9

1(1) The *Agricultural and Recreational Land Ownership Act* is amended by this section.

(2) Section 1 is renumbered as section 1(1).

Explanatory Notes

Agricultural and Recreational Land Ownership Act

1(1) Amends chapter A-9 of the Revised Statutes of Alberta, 2000.

(2) Section 1 presently reads:

1 In this Act,

- (a) “controlled land” means land in Alberta but does not include*
 - (i) land of the Crown in right of Alberta,*
 - (ii) land within the boundaries of a city, town, village or summer village, and*
 - (iii) mines and minerals;*
- (b) “parcel” means an area of land the boundaries of which are*
 - (i) shown on a plan registered or filed in a land titles office, or*
 - (ii) described in the certificate of title to the land, and that has not been divided into smaller areas by an instrument or plan registered or filed in a land titles office, other than a registered road plan or right of way plan, or by a natural boundary shown on a plan registered in a land titles office.*

(3) Section 1 is amended as follows:

(a) in subsection (1) by

(i) renumbering clause (a) as clause (a.04),

(ii) adding the following immediately before clause (a.04):

(a.01) “agricultural controlled land” means controlled land that is agricultural land;

(a.02) “agricultural land” has the same meaning as in the *Agricultural Operation Practices Act*;

(a.03) “Canada Pension Plan” means the plan established under the *Canada Pension Plan* (Canada);

(iii) adding the following immediately after clause (b):

(c) “pension plan” means each of the following plans and includes a person acting on behalf of that plan:

(i) a plan to which the *Employment Pension Plans Act* applies in whole or part, including each of the following:

(A) Local Authorities Pension Plan;

(B) Management Employees Pension Plan;

(C) Public Service Management (Closed Membership) Pension Plan;

(D) Public Service Pension Plan;

(E) Special Forces Pension Plan;

(F) Teachers’ Pension Plans;

(G) Universities Academic Pension Plan;

(ii) Canada Pension Plan;

(iii) any other plan that provides similar benefits to its members as a plan referred to in subclause (i) or (ii);

(3) Add definitions.

(d) “trust corporation” has the same meaning as in the *Loan and Trust Corporations Act*.

(b) by adding the following immediately after subsection (1):

(2) Unless a contrary intention appears, a word or expression used in this Act that is used in the *Land Titles Act* has the same meaning as in that Act.

(4) The following is added immediately after section 1:

Ownership prohibited

1.1(1) A pension plan or trust corporation may not take, acquire or otherwise obtain or hold an interest in agricultural controlled land.

(2) For greater certainty

- (a) the Registrar may not register in the register an interest in agricultural controlled land in the name of a pension plan or trust corporation,
- (b) an instrument is invalid to the extent that it purports to vest an interest in agricultural controlled land in a pension plan or trust corporation, and
- (c) nothing in this section is to be read as prohibiting a pension plan or trust corporation from holding, transferring or otherwise disposing of an interest in agricultural controlled land that it held immediately before the coming into force of this section.

Amends RSA 2000 cL-20

2(1) The *Loan and Trust Corporations Act* is amended by this section.

(2) Section 203 is amended in subsection (1) by striking out “Subject to subsection (3)” and substituting “Subject to subsection (3) and section 1.1 of the *Agricultural and Recreational Land Ownership Act*”.

- (4) Ownership prohibited.

Loan and Trust Corporations Act

- 2(1)** Amends chapter L-20 of the Revised Statutes of Alberta, 2000.

- (2)** Section 203(1) presently reads:

203(1) Subject to subsection (3), a provincial corporation may

- (a) acquire improved real estate in Canada for the purpose of producing income, and*
- (b) acquire improved real estate in Canada that is or is to be occupied by the corporation for its own use.*

Coming into force

3 This Act comes into force on proclamation.

3 Coming into force.

