

Bill No. 41 of 1937.

A BILL RESPECTING THE TRANSPORTATION,  
PACKING, STORAGE AND MARKETING OF  
NATURAL PRODUCTS AND OTHER COMMODI-  
TIES WITHIN THE PROVINCE OF ALBERTA.

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NOTE.

Section 4 of the Bill empowers the Lieutenant Governor in Council to constitute marketing boards for the purpose of marketing any specified commodity; and "commodity" is defined in section 2.

Part I of the Act relates to the control and regulation of the transportation, packing, storage and marketing of any "commodity" within the Province, and empowers the Lieutenant Governor in Council to put in force schemes for that purpose and to assign the administration of such schemes to a marketing board. Such schemes may relate to the whole Province or to any area thereof, and to one "commodity" or to several.

Section 6 sets out certain powers which the Lieutenant Governor in Council may confer upon any Provincial Marketing Board.

Section 7 empowers the Lieutenant Governor in Council to make regulations as to the marketing of any "commodity"; and subsection (2) sets out certain specific subjects of regulation.

Section 8 makes the non-compliance with orders of a Provincial Marketing Board or any regulations an offence and prescribes a penalty.

Part II enables the Lieutenant Governor in Council to establish a Provincial Trading Board as a body corporate, with power to buy and sell and deal in any goods, wares, merchandise, live stock and commodities, and to act as a

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broker, factor or agent. The Board is to consist of three members, of whom one is to be chairman, appointed by order in council.

Section 12 directs the board to conduct its operations on such margin of profit as is necessary to provide for the expense of its operations.

Section 13 empowers the Lieutenant Governor in Council to confer upon the Board such powers as it deems necessary to enable it to carry on its operations, and to make regulations.

Section 14 provides for annual reports of the operations of the Board, the auditing thereof, and the submission thereof to the Legislature.

Part III provides for the repeal of *The Alberta Natural Products Marketing Act*, *The Control and Marketing of Wheat Act*, and *The Alberta Natural Products Marketing Act Amendment Act, 1935*; it also provides that the Act or any Part or Parts thereof shall come into force when proclaimed.

R. ANDREW SMITH,  
*Legislative Counsel.*

*(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)*

# BILL

No. 41 of 1937.

An Act respecting the Transportation, Packing, Storage and Marketing of Natural Products and other Commodities, within the Province of Alberta.

(Assented to \_\_\_\_\_, 1937.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** This Act may be cited as "*The Commodities Marketing (Alberta) Act.*"

**2.** In this Act, unless the context otherwise requires,—

- (a) "Commodity" means any product of agriculture, any product of any mine, any product of any quarry, any product of any oil well or gas well, any product of the forest, any product of the lakes or rivers, and any article wholly or partially manufactured from any such product;
- (b) "Marketing" includes buying and selling, shipping for sale or storage, and offering for sale;
- (c) "Minister" means the Minister of Trade and Industry;
- (d) "Provincial Board" means the Alberta Marketing Board constituted under this Act, and any marketing board or agency constituted pursuant to this Act under the regulations;
- (e) "Regulated Product" means any natural product the regulation of the marketing of which is provided for in any scheme approved or established under this Act;
- (f) "Vehicle" means any motor vehicle, wagon, railway car, ship, boat, or other thing in which any natural product can be transported.

**3.** The administration of this Act shall be subject to the direction and supervision of the Minister.

**4.—(1)** The Lieutenant Governor in Council may constitute a board or different boards for the marketing of any specified commodity or commodities, and may constitute separate boards for the marketing of any specified commodity or commodities.

(2) Every such board shall be known by such name as may be prescribed by the Lieutenant Governor in Council, and shall consist of not more than three members of whom one shall be the chairman, to be appointed by the Lieutenant Governor in Council, and the persons so appointed shall hold office during pleasure and shall receive such remuneration and perform such duties as may be prescribed by the Lieutenant Governor in Council.

(3) The Lieutenant Governor in Council may also appoint such officers, clerks, and servants as are necessary for the carrying out of the provisions of this Act, and may fix their salaries.

#### PART I.

**5.**—(1) The purpose and intent of Part I of this Act is to provide for the control and regulation in any or all respects of the transportation, packing, storage and marketing of any commodity within the Province, including the prohibition of such transportation, packing, storage and marketing in whole or in part.

(2) The Lieutenant Governor in Council may from time to time establish, amend, and revoke schemes for the control and regulation within the Province of the transportation, packing, storage and marketing of any commodity, and may assign the administration of any such schemes to any marketing board constituted under this Act, and may vest in those boards respectively any powers considered necessary or advisable to enable them effectively to control and regulate the transportation, packing, storage and marketing of any commodity within the Province, and to prohibit such transportation, packing, storage and marketing in whole or in part.

(3) Any scheme may relate to the whole of the Province or to any area within the Province, and may relate to one commodity, or various commodities, or to any grade or class thereof.

(4) The method by which the members of any marketing board are to be chosen, whether by appointment or election, or partly the one and partly the other, may be set out in the scheme the board is authorized to administer.

**6.** Without limiting the generality of any of the other provisions of this Act, the Lieutenant Governor in Council may vest in any Provincial board any or all of the following additional powers,—

- (a) to regulate the time and place at which and to designate the agency through which any commodity shall be packed, stored or marketed; to determine the manner of distribution, the quantity and quality, grade or class of the commodity that shall be transported, packed, stored or marketed, by any

person at any time; and to prohibit the transportation, packing, storage or marketing of any grade, quality, or class of any commodity;

- (b) to exempt from any determination or order any person or class of persons engaged in the production, packing, transporting, storing or marketing of the commodity, or any class, variety or grade thereof;
- (c) to require any or all persons engaged in the production, packing, transporting, storing or marketing of the commodity, to register with and obtain licenses from the board;
- (d) to require full information relating to the production, packing, transporting, storing and marketing of the commodity from all persons engaged therein; and to require periodic returns to be made by such persons, and to inspect the books and premises of such persons;
- (e) to fix the price or prices, maximum price or prices, minimum price or prices, or both maximum and minimum prices at which the commodity, or any grade or class thereof, may be bought or sold in the Province; and may fix different prices for different parts of the Province;
- (f) to require the person in charge of any vehicle in which the commodity could be transported to permit any member or employee of the board to search the vehicle;
- (g) to seize and dispose of any commodity kept, transported, packed, stored or marketed in violation of any order of the board;
- (h) to make such orders, rules and regulations, as are deemed by the board necessary or advisable to control and regulate effectively the transportation, packing, storage or marketing of any commodity, and to amend or revoke the same.

7.—(1) The Lieutenant Governor in Council may make such regulations as are considered necessary or advisable for carrying out the purpose and intent of this Act, and may vest in any Provincial board such authorities and powers as are considered necessary or advisable with reference to the marketing of any commodity.

(2) Without thereby limiting the generality of the provisions hereinbefore contained, it is declared that the power of the Lieutenant Governor in Council to make regulations shall extend to,—

- (a) the authorizing and giving effect to any scheme for the regulation of the marketing within the Province of any commodity;

- (b) the providing for the submission of any scheme for the regulation of the marketing of any commodity to a plebiscite within the area of the Province covered by the scheme;
- (c) the termination and annulment of any approval given or scheme authorized by the Lieutenant Governor in Council under this Act;
- (d) the imposition of penalties for enforcing any provision of the regulations.

**8.** Every person who fails to comply with any determination or order of a Provincial board or any regulation made under this Act shall be liable, on summary conviction, to a fine of not less than twenty-five dollars and not more than one hundred dollars, or to imprisonment not exceeding ninety days or to both fine and imprisonment.

## PART II.

**9.** For the purpose of providing producers and consumers in the Province with the means of buying and selling commodities at a just price, the Lieutenant Governor in Council may constitute a Board to be known as "The Provincial Trading Board", which shall be a body corporate and shall be empowered to buy and sell and deal in any goods, wares, merchandise, live stock or commodities whatsoever, and to act as a broker, factor or agent for any person in the acquisition or disposition of any goods, wares, merchandise, live stock or commodities, and for that purpose to do and transact all acts and things which a natural person engaged in a general mercantile business has the capacity or the power to transact.

**10.** The board shall consist of three members, one of whom shall be the chairman, appointed by the Lieutenant Governor in Council, who shall receive such remuneration for their services as may be prescribed by the Lieutenant Governor in Council and shall hold office during pleasure.

**11.** The board may, with the approval of the Lieutenant Governor in Council, employ such officers, agents, clerks and servants, as may from time to time be required by the board for the transaction of its business.

**12.** The board shall in the buying, selling or dealing with any commodity, conduct its operations on such margin of profit as the board deems necessary for the purpose of providing for the payment of the expenses of the board.

**13.** The Lieutenant Governor in Council may vest in the board such authorities and powers as are considered necessary or advisable for the purpose of enabling the board to

conduct its operations, and may make such regulations as are considered to be necessary or advisable for carrying out the intent and purpose of this Act.

14. The board shall on the first day of January following the year in which it commences operation, and on the first day of January in each subsequent year, make a complete report of its business which shall be audited by the Provincial Auditor, and shall be submitted to the Lieutenant Governor in Council and shall be submitted to the Legislature at the session next after the delivery of the report.

### PART III.

15. The following Acts are hereby repealed:  
“*The Alberta Natural Products Marketing Act*”, being chapter 34 of the Statutes of Alberta, 1934;  
“*The Control and Marketing of Wheat Act*”, being chapter 35 of the Statutes of Alberta, 1934; and  
“*The Alberta Natural Products Marketing Act Amendment Act, 1935*”, being chapter 39 of the Statutes of Alberta, 1935.

16. The Lieutenant Governor in Council may by one proclamation or by several proclamations, declare this Act or any Part or Parts thereof, to be in force on and from a date fixed thereby for that purpose, and upon any such proclamation being made, this Act or any Part or Parts thereof so declared to be in force, shall come into force upon the date so fixed thereby.

THIRD SESSION  
**EIGHTH LEGISLATURE**

1 GEORGE VI

1937

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**BILL**

An Act respecting the Transportation, Packing, Storage and Marketing of Natural Products and other Commodities, within the Province of Alberta.

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Received and read the

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Second time.....

Third time.....

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HON. DR. CROSS.

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EDMONTON:  
A. Shnitka, King's Printer  
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