

(Consolidated up to 216/2012)

ALBERTA REGULATION 80/93

Marketing of Agricultural Products Act

**ALBERTA CHICKEN PRODUCERS AUTHORIZATION REGULATION**

Table of Contents

- 1 Definitions
- 2 Regulations made under section 26 of the Act
- 3 Regulations made under section 27(1) of the Act
  - 3.1 Expiry
- 4 Repeal

Definitions

1 In this Regulation,

- (a) “Act” means the Marketing of Agricultural Products Act;
- (b) “Board” means the Alberta Chicken Producers;

- (c) “Plan” means the Alberta Chicken Producers’ Plan;
- (d) “producer” means a producer as defined in the Plan;
- (e) “regulated product” means regulated product as defined in the Plan.

Regulations made under section 26 of the Act

2 For the purposes of enabling the Board to operate the Plan, the Board is hereby authorized under section 26 of the Act to make regulations

- (a) requiring producers engaged in the production or marketing, or both, of the regulated product to register their names and addresses with the Board;
- (b) requiring any person who produces, markets or processes the regulated product to furnish to the Board any information or record relating to the production, marketing or processing of the regulated product that the Board considers necessary;
- (c) requiring persons to be licensed under the Plan before they become engaged in the production, marketing and processing, or any one or more of those functions, of the regulated product;
- (d) prohibiting persons from engaging in the production, marketing or processing, as the case may be, of the regulated product except under the authority of a licence;
- (e) governing the issuance, suspension or cancellation of a licence;
- (f) providing for
  - (i) the assessment, charging and collection of service charges, licence fees or levies, as the case may be, from producers from time to time for the purposes of the Plan, and

(ii) the taking of legal action to enforce payment of the service charges, licence fees or levies, as the case may be;

(g) requiring any person who receives any regulated product from a producer

(i) to deduct from the money payable to the producer any service charges, licence fees or levies, as the case may be, payable by the producer to the Board, and

(ii) to forward the amount deducted to the Board;

(h) providing for the use of any class of service charges, licence fees, levies or other money payable to or received by the Board for the purpose of paying its expenses and administering the Plan and the regulations made by the Board;

(i) providing for the payment to a Canada Board of money that is payable under a Canada Act.

AR 80/93 s2;216/2012

Regulations made under section 27(1) of the Act

3 For the purposes of enabling the Board to operate the Plan, the Board is hereby authorized under section 27(1) of the Act to make regulations

(a) requiring that the production or marketing, or both, of the regulated product be conducted pursuant to a quota;

(b) governing

(i) the fixing and allotting of quotas,

(ii) the increase or reduction of quotas,

(iii) the cancelling of quotas, and

(iv) the refusal to fix and allot quotas,

to producers for the production or marketing, or both, of the regulated product on any basis the Board considers appropriate;

(c) governing the transferability or non-transferability of quotas;

(d) establishing

(i) a formula for determining the volume, weight, components, contents amount or number of regulated product deemed to have been produced or marketed by a producer, and

(ii) the period of time in respect of which the formula is to be applied,

for the purpose of determining the amount of regulated product produced or marketed by a producer during a period of time;

(e) providing for

(i) the assessment, charging and collection of a levy from any producer whose production or marketing, or both, of the regulated product is in excess of the quota that has been fixed and allotted to that producer, and

(ii) the taking of legal action to enforce payment of the levy;

(f) requiring any person who provides any regulated product to a producer under the Plan to furnish to the Board any information requested by the Board;

(g) determining the quantity, weight and volume of each class, variety, size, grade, kind, components and contents of the regulated product that shall be produced or marketed, or both, by each producer;

(h) directing, controlling or prohibiting, as the case may be, the production or marketing, or both, of the regulated product or any class, variety, size, grade or kind of the regulated product in a manner that the Board considers appropriate;

(i) regulating and controlling the production or marketing, or both, of the regulated product, including the times and places at which the regulated product may be produced or marketed;

(j) determining or respecting the determination of the minimum price or prices that shall be paid to producers for the regulated product or any class, variety, size, grade, volume, weight, components, contents or kind of the regulated product and determining different prices for different parts of Alberta;

(k) requiring that the money payable or owing to a producer for the regulated product be paid to or through the Board;

(l) providing for the payment to a producer of the money payable or owing for the regulated product, less any service charges and levies owing to the Board by the producer, and fixing the time or times at which or within which the payments shall be made;

(1.1) regulating and controlling agreements entered into by producers of a regulated product with persons engaged in marketing or processing of the regulated product, including to prohibit any provision in the agreements;

(1.2) providing for the terms and conditions on which a person may market the regulated product in excess of the quota fixed and allocated to the person;

(1.3) respecting the amount, manner and time of payments to producers by processors and requiring the making of statements and other documents accompanying payments and respecting the information to be contained in the statements and other documents;

(m) governing

(i) the furnishing of security or proof of financial responsibility by any person engaged in the production, marketing or processing of the regulated product, and

(ii) the administration and disposition of any money or securities so furnished;

(n) prohibiting a person to whom a quota has not been fixed and allotted for the production or marketing, or both, of the regulated product from producing or marketing, as the case may be, any regulated product;

(o) prohibiting a producer to whom a quota has been fixed and allotted for the production or marketing, or both, of the regulated product from producing or marketing, as the case may be, any regulated product in excess of that quota;

(p) prohibiting any person from purchasing or otherwise acquiring from a producer any regulated product in excess of the quota that has been fixed and allotted to the producer for the production or marketing, or both, of the regulated product;

(q) prohibiting any person from purchasing or otherwise acquiring any regulated product from a person to whom a quota has not been fixed and allotted for the production or marketing, or both, of the regulated product.

AR 80/93 s3;216/2012

Expiry

3.1 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be re-passed in its present or an amended form following a review, this Regulation expires on May 31, 2017.

AR 309/96 s2;240/2001;96/2007;83/2012

Repeal

4 Regulations Relating to the Implementation of the Alberta Chicken Producers' Marketing Plan 1965 (Alta. Reg. 337/72) are repealed.