



Province of Alberta

# **ALBERTA WHEAT AND BARLEY TEST MARKET ACT**

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Chapter A-37.5

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# **ALBERTA WHEAT AND BARLEY TEST MARKET ACT**

## **Chapter A-37.5**

### **Preamble**

WHEREAS the Canadian Wheat Board has a monopoly over the Canadian wheat market as the single desk buyer and seller of wheat and barley grown in the prairie provinces for export and domestic human consumption;

WHEREAS the Board was initially established as a temporary measure in response to wheat market conditions and other world events;

WHEREAS the creation of the Board has adversely affected Alberta's agricultural industry through the loss of secondary industries to other parts of Canada;

WHEREAS the Board's monopoly is an outdated concept in the world's current climate of increasingly free markets;

WHEREAS a 1995 plebiscite of Alberta wheat and barley farmers indicated majority support for a dual marketing system that would provide farmers with the freedom to sell their wheat or barley either through the Canadian Wheat Board or on the open market;

WHEREAS recent changes at the Canadian Wheat Board have not resolved the problems faced by Alberta farmers, namely, lack of compensation for top quality wheat, restricted cash flow and poor export opportunities; and

WHEREAS there is a need to develop alternatives to the Board's current monopoly;

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

### **Definitions**

**1** In this Act,

- (a) “Minister” means the Minister of Agriculture, Food and Rural Development;
- (b) “producer” means a person engaged in the production of wheat or barley;
- (c) “test market” means an open market for wheat and barley created pursuant to an agreement under section 2.

**Agreement**

**2(1)** The Minister may, upon receiving the approval of the Lieutenant Governor in Council, enter into an agreement with

- (a) the appropriate Minister of the Government of Canada,
- (b) the Canadian Wheat Board, or
- (c) both (a) and (b),

for the purpose of establishing an open market, on a test basis, for the purchase and sale of wheat and barley produced in Alberta.

**(2)** An agreement made under subsection (1) must include the following terms and conditions:

- (a) producers have the option of marketing any portion of their wheat or barley to
  - (i) the Canadian Wheat Board, or
  - (ii) any other buyer;
- (b) the test market will be in place for a minimum period of 10 years.

**Regulations**

**3** Subject to an agreement made under section 2, the Minister may make regulations governing any matter respecting the implementation of a test market in Alberta.

**Coming into force**

**4** This Act comes into force on January 1, 2003.