

Blueberry Associations Act

CHAPTER 42

OF THE

REVISED STATUTES, 1989

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An Act to Encourage the Cultivation of Blueberries

Short title

1 This Act may be cited as the Blueberry Associations Act. R.S., c. 42, s. 1.

Incorporation

2 (1) When not less than ten persons of the age of eighteen years and upwards resident in any place or settlement in the Province and actually engaged in the occupation of berry picking signify their intention of forming an association by signing a declaration in the form in the Schedule, a certificate of incorporation may be issued by the Registrar of Joint Stock Companies to such persons, and they and such other persons as may become members of such association shall thereupon become a body corporate under the name of "Station No. Blueberry Association of Nova Scotia".

Filing of declaration and affidavit

(2) The declaration, with an affidavit verifying the signatures thereto and the fact that the persons signing the same are actually engaged in the occupation of berry picking, shall, before such certificate is issued, be filed with the Registrar. R.S., c. 42, s. 2.

Blueberry commons

3 (1) The Minister of Lands and Forests may, in his discretion, upon the application of a blueberry association formed under this Act, set aside an area or areas of Crown lands as blueberry commons.

Survey

(2) Such area or areas shall first be surveyed and properly marked by posts and stones by the Department of Lands and Forests. R.S., c. 42, s. 3.

Objects

4 The objects of an association shall be

(a) the obtaining of an area of Crown land for the cultivation, picking and co-operative shipping and selling of blueberries therefrom;

(b) the procuring of reliable information as to the latest improvements in the methods of cultivating, picking, shipping and selling of blueberries, and the acquiring and collecting knowledge regarding markets for the sale of blueberries; and

(c) the doing of all matters and things that may legally tend to or assist in the attainment of the objects of the association. R.S., c. 42, s. 4.

First meeting

5 Every association incorporated under this Act shall hold its first meeting within two months of the date of its certificate of incorporation. R.S., c. 42, s. 5.

Officers and administration

6 Each association shall at its first meeting elect from its members a chairman and a secretary-treasurer, both of whom shall, together with three members of the station, administer the affairs of the station. R.S., c. 42, s. 6.

Notification to Minister

7 Immediately after the first meeting of an association, the chairman shall notify in writing the Minister of Lands and Forests of the formation of the association and of the names of the chairman and secretary-treasurer thereof. R.S., c. 42, s. 7.

Annual meeting

8 The members of each association shall meet at least once a year at the call of the chairman for the passing of accounts and for the conduct of general business pertaining to its objects. R.S., c. 42, s. 8.

Rules and regulations

9 (1) Each association shall have power to make rules and regulations regarding the conduct of its meetings, the annual fees to be paid by members and such other matters pertaining to its conduct and objects as are not inconsistent with this Act and as may be approved by the Minister of Lands and Forests.

Copy to be forwarded

(2) A copy of the rules and regulations when approved shall be forwarded to the Chief Forester appointed under the Forests Act, and shall be of force and effect until disapproved by the Governor in Council. R.S., c. 42, s. 9.

Breach of regulations

10 Every person contravening or committing a breach of the rules and regulations mentioned in Section 9 shall be deemed to be guilty of a violation of this Act. R.S., c. 42, s. 10.

Penalty

11 Every person who violates this Act shall be guilty of an offence and liable on summary conviction to a penalty of not less than five dollars nor more than twenty dollars. R.S., c. 42, s. 11.

Summary Proceedings Act

12 Any penalty provided for by this Act may be recovered under the Summary Proceedings Act. R.S., c. 42, s. 12.

Disposition of penalty

13 Any penalty under this Act, when recovered, shall be paid one half to the complainant, informant or prosecutor and the other half to the Minister of Finance, to be applied in the protection of forests and the suppression of fires under the Forests Act. R.S., c. 42, s. 13.

Damage by fire

14 Nothing in this Act contained shall be held to limit or interfere with the right of any person to bring and maintain a civil action for damages occasioned by fire. R.S., c. 42, s. 14.

Annual return

15 An annual return shall be furnished by the secretary-treasurer of each association to the Minister of Lands and Forests on or before the thirty-first day of December, showing

- (a) the number of members of the station;
- (b) the annual fee to be paid by members;
- (c) the number of meetings held;
- (d) the names and addresses of the officers;
- (e) the receipts and expenditures of the station during the year; and
- (f) the property held by the station and its value. R.S., c. 42, s. 15.

SCHEDULE

We, the undersigned residents of and engaged in the occupation of berry picking, hereby agree to form ourselves into a union and desire to become incorporated under the Blueberry Associations Act, as Station No. Blueberry Association of Nova Scotia.

Dated the day of, 19.

Names of Subscribers Address

Province of Nova Scotia

County of

I certify that, a subscribing witness to the foregoing declaration, made oath before me that the said declaration was duly signed in his presence by the therein named.

Dated at this day of, 19.

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Justice of the Peace for the

County of

R.S., c. 42, Sch.