

(no amdt)

ALBERTA REGULATION 352/2003

Marketing of Agricultural Products Act

**ALBERTA BEEF PRODUCERS
AUTHORIZATION REGULATION**

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Definitions

1(1) In this Regulation,

- (a) “Act” means the *Marketing of Agricultural Products Act*;
- (b) “Canada Act” means the *Farm Products Agencies Act* (Canada);
- (c) “Canada Board” means the Canadian Beef Cattle Research, Market Development and Promotion Agency;
- (d) “Commission” means Alberta Beef Producers;
- (e) “delegate” means a delegate as referred to in section 2 of the Plan;
- (f) “Plan” means the *Alberta Beef Producers Plan Regulation* (AR 336/2003);
- (g) “producer” means a producer as defined in the Plan;
- (h) “regulated product” means the regulated product as defined in the Plan.

(2) Words defined in the Act or the Plan have the same meaning when used in this Regulation.

Regulations made under section 26 of the Act

2 For the purposes of enabling the Commission to operate the Plan, the Commission is hereby authorized under section 26(1) of the Act to make regulations

- (a) requiring producers engaged in the marketing of a regulated product to register their names and addresses with the Commission;
- (b) requiring any person who markets a regulated product to furnish to the Commission any information or record relating to the marketing of the regulated product that the Commission considers necessary;
- (c) providing for
 - (i) the assessment, charging and collection of service charges 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;
- (d) requiring any person who receives a regulated product from a producer
 - (i) to deduct from the money payable to the producer any service charges payable by the producer to the Commission, and
 - (ii) to forward the amount deducted to the Commission;
- (e) providing for the use of any class of service charges or other money payable to or received by the Commission for the purpose of paying its expenses and administering the Plan and the regulations made by the Commission;
- (f) providing for payment to the Canada Board of money that is payable under the Canada Act.

Restrictions re registration of names, etc.

3 The authority of the Commission to make regulations under section 26(1)(a) of the Act is hereby limited in its application to the extent that the Commission is only empowered to require producers to register their names and addresses with the Commission in order to enable the Commission

- (a) to determine whether a producer is an eligible producer, and

(b) to assess, charge and collect service charges.

Restrictions re service charges

4 The authority of the Commission to make regulations under section 26(1)(f) of the Act for the purposes of assessing or setting the amount of a service charge is subject to the condition that the regulation assessing or setting the amount of the service charge does not take effect unless prior to the filing of the regulation under the *Regulations Act* the amount of the service charge to be assessed or set by that regulation has been approved by a majority vote of the delegates present at an annual Commission meeting or a special Commission meeting.

Repeal

5 The *Alberta Beef Producers Authorization Regulation* (AR 187/98) is repealed.

Expiry

6 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on July 1, 2008.