



Province of Alberta

MARKETING OF AGRICULTURAL PRODUCTS ACT

ALBERTA BEEF PRODUCERS PLAN REGULATION

Alberta Regulation 123/2025

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Extract

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ALBERTA REGULATION 123/2025

Marketing of Agricultural Products Act

ALBERTA BEEF PRODUCERS PLAN REGULATION

Table of Contents

- 1 Definitions
- 2 Designation of agricultural product

Part 1
General Operation of Plan

Division 1
Plan

- 3 Plan continued
- 4 Termination of Plan
- 5 Application of Plan
- 6 Purpose of Plan

Division 2
Administration of Plan by Commission

- 7 Commission continued
- 8 Functions of Commission
- 9 Regulations to operate Plan
- 10 Financing of Plan

Part 2
Governance of Plan

- 11 Composition of Commission
- 12 Election of directors
- 13 Vacancy during term
- 14 Insufficient number of voters
- 15 Election irregularities
- 16 Election vacancy

Part 3
Review, Transitional and Repeal

- 17 Review
- 18 Transitional

19 Repeal**Definitions****1** In this Regulation,

- (a) “Act” means the *Marketing of Agricultural Products Act*;
- (b) “bylaws” means the bylaws made by the Commission under section 26(2.1) of the Act;
- (c) “Canada Act” means the *Farm Products Agencies Act* (Canada);
- (d) “Canada Board” means the Canadian Beef Cattle Research, Market Development and Promotion Agency established under the *Farm Products Agencies Act* (Canada);
- (e) “cattle” means an animal of the species *Bos taurus* or *Bos indicus*;
- (f) “cattle products” means
 - (i) beef, or
 - (ii) offal, hides or any by-product from the slaughter and processing of cattle;
- (g) “Commission” means Alberta Beef Producers continued under section 7;
- (h) “dealer” means a person who is required to be or who is licensed as a livestock dealer or livestock dealer’s agent under the *Livestock Identification and Commerce Act*;
- (i) “Plan” means the Alberta Beef Producers Plan continued under section 3;
- (j) “producer” means a person who
 - (i) raises, feeds or owns cattle,
 - (ii) is entitled to a share of the cattle raised by a producer or any portion of the revenue derived from the sale of the cattle, or
 - (iii) takes possession of cattle from a producer under a security interest as defined in the *Personal Property Security Act* or any other security for a debt;
- (k) “regulated product” means cattle and cattle products.

Designation of agricultural product

- 2** Cattle and cattle products are designated as agricultural products for the purposes of the Act.

Part 1 General Operation of Plan

Division 1 Plan

Plan continued

- 3** The Alberta Beef Producers Plan continued under the *Alberta Beef Producers Plan Regulation* (AR 286/2009) is amended and continued under this Regulation.

Termination of Plan

- 4** The Plan does not terminate at the conclusion of a specific period of time and remains in force unless otherwise terminated under the Act.

Application of Plan

- 5(1)** The agricultural products to which this Plan applies are cattle and cattle products.
- (2)** This Plan applies to all of Alberta.

Purpose of Plan

- 6(1)** The purpose of this Plan is to enable the Commission to initiate and carry out projects or programs respecting the production or marketing of the regulated product.
- (2)** Without limiting subsection (1), the Commission may
- (a)** initiate and carry out projects and programs for the following purposes:

 - (i)** to assist, educate and inform producers, dealers, processors and other persons with a commercial interest in the cattle industry in developing and improving their production and marketing of the regulated product;
 - (ii)** to expand market awareness and demand for cattle and cattle products, including the development and promotion of markets for the regulated product and consumer education;

- (iii) to generally develop and promote the cattle industry;
 - (iv) to advise and lobby government on matters concerning the cattle industry;
 - (v) to research and study the production, marketing and processing of the regulated product, including research concerning product improvement, market development and consumption patterns;
 - (vi) to support and cooperate with other persons and governments when, in the opinion of the Commission, such support and cooperation will further the purposes of this Plan and the objectives of the Commission;
 - (vii) to communicate with producers, dealers, processors and other persons with a commercial interest in the cattle industry and to engage in public outreach,
- (b) become a member of, elect or appoint individuals to sit as directors or members of and contribute funds to any provincial or national task force, committee, group, organization, agency or person when, in the opinion of the Commission, such participation will further the purposes of this Plan and the objectives of the Commission,
 - (c) cooperate with or act as an agent of the Canada Board, and
 - (d) enter into agreements with the Canada Board to support the establishment and operation of a promotion and research agency under the Canada Act.

Division 2

Administration of Plan by Commission

Commission continued

7 The Commission known as the “Alberta Beef Producers” is continued.

Functions of Commission

8 The Commission

- (a) is responsible for the operation, regulation, supervision and enforcement of the Plan and the bylaws and regulations made by the Commission, and

- (b) may be authorized, in accordance with section 50 of the Act, to perform any function or duty and exercise any power imposed or conferred on the Commission by or under any Canada Act.

Regulations to operate Plan

9 The Commission is authorized under section 26(1) of the Act to make, with the approval of the Council, regulations

- (a) requiring producers engaged in the production or marketing, or both, of a regulated product to register their names and addresses with the Commission;
- (b) providing for classifying producers, processors and others into groups for the purposes of this Plan;
- (c) requiring any person who produces, markets or processes a regulated product to furnish to the Commission any information or record relating to the production, marketing or processing of the regulated product that the Commission considers necessary;
- (d) providing for the assessment, charging and collection of service charges and levies, as the case may be, from producers for the purposes of this Plan;
- (e) providing for the taking of legal action to enforce payment of service charges and levies, as the case may be;
- (f) respecting the circumstances, if any, under which a service charge may be refunded to a producer;
- (g) requiring any person who receives a regulated product from a producer
 - (i) to deduct from the money payable to the producer any service charges or levies, as the case may be, payable by the producer to the Commission, and
 - (ii) to forward the amount deducted to the Commission;
- (h) providing for the use of any class of service charges, levies, or other money payable to or received by the Commission for the purpose of paying its expenses and administering this Plan and the regulations made by the Commission;
- (i) providing for the payment to the Canada Board of money that is payable under the Canada Act.

Financing of Plan

10(1) In accordance with the regulations, the Plan is to be financed by

- (a) the charging and collection of service charges and levies from producers, and
- (b) any other money payable to or received or accrued by the Commission.

(2) The Commission must pay all levies collected from producers on behalf of the Canada Board to the Canada Board.

Part 2 Governance of Plan

Composition of Commission

11 The Commission consists of a minimum of 9 and a maximum of 15 directors elected in accordance with the bylaws.

Election of directors

12 The election for the directors is to be held in accordance with the procedures set out in the bylaws.

Vacancy during term

13 If a director ceases to hold office before the expiry of that director's term, the Commission may, subject to the approval of the Council, appoint an eligible person to fill the vacant position for the unexpired portion of that term of office.

Insufficient number of voters

14(1) If an election for a director is held under this Plan and there is an insufficient number of eligible voters in attendance at the meeting,

- (a) the election is void, and
- (b) the position for which the election was held is vacant.

(2) Notwithstanding that a director position is vacant under subsection (1), the term of office of the position is deemed to have commenced as if an individual had been elected to the position.

(3) If a position is vacant under subsection (1), the position may be filled by electing or appointing an individual under section 16.

Election irregularities

15(1) An eligible producer may apply to the Council in writing to have an election declared invalid within 30 days of the election on the following grounds:

- (a) the eligibility of a candidate;
- (b) the eligibility of a voter;
- (c) a matter relating to a ballot or the tabulation of ballots;
- (d) an irregularity with respect to the conduct of an election.

(2) If an application is received in accordance with subsection (1), the Council shall order a new election if the Council considers that

- (a) the candidate was not eligible, or
- (b) the matter complained of materially affected the result of the election.

(3) If an application is not received in accordance with subsection (1), then the election is deemed to have been valid.

Election vacancy

16 Where a vacancy occurs under section 14 or 15, the Council may

- (a) require that a new election be held,
- (b) appoint an individual who is eligible to be elected under this Plan, or
- (c) permit the vacancy to be filled as provided for in this Plan or the bylaws.

Part 3

Review, Transitional and Repeal

Review

17 In compliance with the ongoing regulatory review initiative, this Regulation must be reviewed on or before June 30, 2032.

Transitional

18 Where an individual is a director immediately before the coming into force of this Regulation, that individual continues to be a director until the expiry of that individual's term of office in accordance with the Plan and the bylaws unless

- (a) the individual is removed or resigns from office, or
- (b) the bylaws reduce the term of office for that position.

Repeal

19 The *Alberta Beef Producers Plan Regulation* (AR 286/2009) is repealed.



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