

(Consolidated up to 129/2016)

ALBERTA REGULATION 286/97
Marketing of Agricultural Products Act
ALBERTA SUGAR BEET GROWERS
AUTHORIZATION REGULATION

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Definitions

1(1) In this Regulation,

- (a) “Act” means the *Marketing of Agricultural Products Act*;
- (b) “Board” means the Alberta Sugar Beet Growers referred to in section 7 of the Plan;
- (c) “Plan” means the *Sugar Beet Marketing Plan Regulation (AR 275/97)*;
- (d) “producer” means a producer as defined in the Plan.

(2) Words not defined in this Regulation but that are used in this Regulation and that are defined in the Plan have the same meaning 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, subject to any condition or restriction imposed under section 4 of this Regulation, hereby authorized under section 26 of the Act to make regulations

- (a) requiring producers engaged in the production or marketing, or both, of sugar beets to register their names and addresses with the Board;
- (b) requiring any person who produces, markets or processes sugar beets to furnish to the Board any information or

record relating to the production, marketing or processing of sugar beets 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 sugar beets;
- (d) prohibiting persons from engaging in the production, marketing or processing, as the case may be, of sugar beets except under the authority of a licence issued under the Plan;
- (e) governing the issuance, suspension or cancellation of a licence issued under the Plan;
- (f) providing for
 - (i) the assessment, charging and collection of service charges and licence fees, 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 and licence fees, as the case may be;
- (g) requiring any person who receives sugar beets 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, 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) permitting the Board to exercise any one or more of the powers that are vested in a co-operative association under the *Co-operative Associations Act*.

Regulations made under section 27(1) of the Act

3 For the purposes of enabling the Board to operate the Plan, the Board, subject to any condition or restriction imposed under section 4 of this Regulation, is hereby authorized under section 27(1) of the Act to make regulations

- (a) requiring that the production or marketing, or both, of sugar beets 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 sugar beets on any basis that the Board considers appropriate;
- (c) governing the transferability or non-transferability of quotas and prescribing the conditions and procedures applicable to the transfer of quotas, if any, that the Board considers appropriate;
- (d) establishing
 - (i) a formula for determining the amount of sugar beets 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 purposes of determining the amount of sugar beets 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 sugar beets 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) directing, controlling or prohibiting, as the case may be, the production or marketing, or both, of sugar beets or any class, variety, size, grade or kind of sugar beets in such manner as the Board considers appropriate;

- (g) regulating and controlling the production or marketing, or both, of sugar beets, including the times and places at which sugar beets may be produced or marketed;
- (h) providing
 - (i) for the operation of one or more pools for the distribution of all money payable to the producers from the sale of sugar beets, and
 - (ii) for the deduction of reasonable and proper disbursements and expenses with respect to the operation of the pool;
- (i) providing for the collection from any person by legal action of money owing to a producer for sugar beets;
- (j) prohibiting a person to whom a quota has not been fixed and allotted for the production or marketing, or both, of sugar beets from producing or marketing, as the case may be, any sugar beets;
- (k) prohibiting a producer to whom a quota has been fixed and allotted for the production or marketing, or both, of sugar beets from producing or marketing, as the case may be, any sugar beets in excess of that quota;
- (l) prohibiting any person from purchasing or otherwise acquiring any sugar beets from a producer that are in excess of the quota that has been fixed and allotted to the producer for the production or marketing, or both, of sugar beets;
- (m) prohibiting any person from purchasing or otherwise acquiring any sugar beets from a person to whom a quota has not been fixed and allotted for the production or marketing, or both, of sugar beets;
- (n) prohibiting any person from marketing or processing any sugar beets that have not been sold by or through the Board.

AR 286/97 s3:215/2013

Restrictions respecting authorization to make regulations

4 The following conditions or restrictions are imposed with respect to regulations made by the Board under sections 26 and 27(1) of the Act:

- (a) with respect to a regulation made pursuant to the authority referred to in section 2(f) of this Regulation, a regulation

shall not be submitted to the Registrar of Regulations for filing unless the amount of service charges fixed or imposed by the regulation has been approved by

- (i) a vote of the registered producers in general meeting, or
 - (ii) the Council;
- (b) repealed AR 215/2013 s3;
- (c) with respect to a regulation made pursuant to the authority referred to in section 3(n) of this Regulation, a regulation may be made only with respect to sugar beets sold through the Board.

AR 286/97 s4;215/2013

Repeal

5 The *Sugar Beet Marketing Plan Implementation Regulation* (AR 2/91) is repealed.

6 Repealed AR 129/2016 s18.