



CHAPTER 4

An Act to amend the Farm Products Marketing Act

[Assented to 20 February 1979]

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

1974, c. 36,
s. 2a,
added.

1. The Farm Products Marketing Act (1974, chapter 36) is amended by inserting, after section 2, the following section:

Object of
the act.

“2a. It is the object of this act to regulate the production of farm products in Québec and the marketing of farm products in intraprovincial trade.”

1974, c. 36,
s. 33a,
added.

2. The said act is amended by inserting, after section 33, the following section:

“producers’
board”.

“33a. No person may assume the title “producers’ board” or any other title that includes the words “producers’ board” without being a producers’ board within the meaning of this act.”

1974, c. 36,
s. 67, am.

3. Section 67 of the said act is amended:

(a) by replacing paragraph *c* by the following paragraph:

“(c) fix production quotas, fix marketing quotas, fix the time and place of production and marketing, and prohibit production and marketing where they are effected in violation of a by-law made under this paragraph;”;

(b) by replacing paragraph *d* by the following paragraph:

“(d) determine on what conditions a producer may produce or market a marketed product without regard to the fixed quota, to a fixed standard or to a fixed time or place;”;

(c) by adding, after paragraph *i*, the following paragraphs:

“(j) require a producer to hold a quota to produce or market a marketed product, determine the conditions of the issuance of

such quota, prohibit the issuance of any quotas above a prescribed limit, prescribe the reduction of quotas where that limit is or is likely to be reached, forbid production or marketing in violation of the quota, provide the conditions of cancellation, suspension or temporary or permanent reduction by the Board of the quota of a producer for a violation by that producer of this act, a joint plan, an order, a by-law, a duly homologated agreement or an arbitration award, provided that this producer has first been given an opportunity to be heard by the Board, and provide the conditions on which a quota may again be issued;

“(k) impose, on any person who infringes any prescription whatever of a by-law made under paragraphs *c* to *h* or *j*, a penalty based on the volume or quantity of the farm product concerned or on the area under cultivation, and use that penalty for the purposes of sections 76 and 77 or pursuant to the terms of an agreement provided for in Division XI;

“(l) determine what quantity of a marketed product constitutes a surplus of that product for any period that the board may determine, and allocate the whole or a part of the contributions provided for in sections 76 and 77 to payment of the expenses or losses resulting from the disposal of this surplus.”

1974, c. 36,
s. 75, am.

4. Section 75 of the said act is amended by replacing paragraph *b* by the following paragraph:

“(b) authorize a producers’ board to act as agent of the Governor General in Council, to entrust a body authorized under legislation of another Legislature or the Parliament of Canada to regulate the marketing of a farm product, with any function the office may exercise under this act, a joint plan, an order, a by-law or an agreement provided for in section 74, and to perform, on behalf of any body authorized under legislation of another Legislature or the Parliament of Canada to regulate the marketing of a farm product, any function which that body may perform pursuant to that legislation;”.

1974, c. 36,
s. 77, am.

5. Section 77 of the said act is amended by inserting, after subparagraph *b* of the first paragraph, the following subparagraph:

“(c) classify the producers into groups, fix the contributions payable by the producers, with possible variations according to a producers’ group, and use those contributions for the purposes of this section and section 76, including the creation of reserves, the payment of expenses and losses resulting from the marketing of a marketed product, whether or not such product has been produced by the producer required to pay the contribution, and, where applicable, the equalization or adjustment among pro-

ducers of the moneys realized from the sale of a marketed product during such period as the board may determine.”

Presump-
tion.

6. All costs or duties imposed on or collected from a producer before 4 April 1979, under the Farm Products Marketing Agencies Act (Statutes of Canada, 1970-71-72, chapter 65) or the Agricultural Products Marketing Act (Revised Statutes of Canada, 1970, chapter A-7) with respect to a marketed product produced in Québec or marketed in Québec in the course of intraprovincial trade are deemed to have been imposed or collected, from their date of imposition or collection, under the Farm Products Marketing Act (1974, chapter 36), as amended by this act, or under a joint plan, an order or a by-law passed or put into force under the said act.

Coming
into force.
(4 April
1979, G.O.,
p. 2853).

7. This act will come into force on the date to be fixed by proclamation of the Government, except the provisions excluded by that proclamation, which will come into force on any later date to be fixed by proclamation of the Government.