



CHAPTER 66

An Act to amend the Act respecting the Ministère de l'agriculture

[Assented to 21 December 1979]

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

R.S.Q.,
c. M-14,
s. 24, am.

1. Section 24 of the Act respecting the Ministère de l'agriculture (R.S.Q., c. M-14) is amended by adding at the end the following paragraphs:

Cancellation.

“For such purposes, the Minister may, in particular, acquire any immovable held pursuant to a location ticket issued under the authority of the Colonization Land Sales Act (R.S.Q., c. T-8), and, from such acquisition, that location ticket is cancelled of right and the cancellation has the same effect as if it had been made by the Minister under Division IV of that act. From that acquisition, such an immovable is no longer subject to that act. This paragraph has effect from 22 December 1969.

Exemption.

He may also, by a notice, exempt from the regime of the Colonization Land Sales Act a lot not held under a location ticket or an occupation licence, to bring it under a programme adopted pursuant to this division or place it in the arable land bank established under Division VII. He may also, where he deems it appropriate, exempt a lot from such a programme to place it in the arable land bank, or exempt a lot from the arable land bank to bring it under such a programme.”

R.S.Q.,
c. M-14,
Division VII,
added.

2. The said act is amended by adding at the end the following division, heading and sections:

"DIVISION VII

"ESTABLISHMENT OF AN ARABLE LAND BANK

Land
bank.

"27. The Minister, without restriction to his powers under Division VI, may establish an arable land bank for the purpose of alienating or leasing arable land so as to promote the succession of the younger generation in agriculture, the enlargement or consolidation of family farms and the operation of unused or underused arable land.

Powers.

For these purposes, the Minister may

(1) acquire any immovable at such price and on such conditions as are fixed in accordance with the regulations;

(2) carry out or cause the carrying out, on any such immovable, of maintenance, improvement or development works deemed essential to its profitability;

(3) lease, sell or otherwise alienate by onerous title such an immovable at such price, on such conditions and according to such criteria as are fixed in accordance with the regulations;

(4) enter into agreement with any government or agency and with any person, association, partnership or corporation.

Aliena-
tion.

Notwithstanding the second paragraph, the Minister may, in the cases provided for by regulation, alienate the whole or part of an immovable contemplated in the said paragraph for purposes other than those listed in the first paragraph, at such price and on such conditions as are fixed in accordance with the regulations.

Applic-
ability.

The third paragraph of section 24 applies to this division.

Adminis-
tration.

"28. The Government may, on the conditions it determines, entrust the administration of this division to a public agency it designates. For that purpose, the designated agency exercises, on behalf of the Minister, the powers conferred on him under subparagraphs 1, 2 and 3 of the second paragraph of section 27, and under the third and fourth paragraphs of that section.

Loans.

Notwithstanding any contrary provision in the constituent act of the designated agency, it may, for the purposes of this division and with the prior approval of the Government, raise loans by way of promissory notes, bonds or other securities, on the terms and conditions determined by the Government.

"public
agency".

For the purposes of this division, "public agency" means an agency to which the Government or a minister, appoints the majority of the members, to which, by law, the staff is appointed

and remunerated in accordance with the Civil Service Act (1978, c. 15), or over one-half of whose capital stock is derived from the consolidated revenue fund.

Public domain.

"29. Property that the designated agency acquires or owns on behalf of the Minister under this division forms part of the public domain, but the performance of the obligations the designated agency contracts for those purposes may be levied against that property.

Liability.

The designated agency binds none but itself when it acts in its own name.

Working fund.

"30. The Government, under such terms and conditions as it determines, may authorize the Ministre des finances to constitute, for the benefit of the agency designated under section 28, a working fund not exceeding two hundred thousand dollars for the disbursements necessary for the administration, protection and maintenance of any immoveable acquired or owned by the designated agency on behalf of the Minister under this division, and for the disbursements necessary for the protection of any debt resulting from a sale or a lease made in accordance with this division.

Funding.

The amounts necessary for the establishment of the working fund are taken out of the consolidated revenue fund.

Exception.

Notwithstanding section 33, the sums received as recovery of disbursements made for the purposes provided for in the first paragraph are paid into the working fund.

Regulation.

"31. The Government may, by regulation, prescribe

(1) the general bases of assessment of the immoveables to be acquired or alienated under this division;

(2) the criteria enabling the fixing of the price of acquisition or alienation or the cost of the rent of such immoveables, and the criteria for selecting prospective acquirers or lessees;

(3) the conditions that must be included in deeds of acquisition or alienation and in leases;

(4) the documents, reports and information to be produced or furnished for the purposes of this division and the period within which they must be produced or furnished;

(5) the cases where an immoveable may be alienated, in whole or in part, in accordance with the third paragraph of section 27, and the criteria enabling the fixing of the price of alienation of such an immoveable.

Advances. **"32.** The Government, for the period of time and under any other conditions it determines, may authorize the Ministre des finances to advance to the agency designated under section 28 any amount deemed necessary for

(1) the acquisition of an immovable contemplated in subparagraph 1 of the second paragraph of section 27;

(2) the carrying out of improvement and development works on such an immovable.

Funding. The sums that the Ministre des finances may be called on to advance under the first paragraph are taken out of the consolidated revenue fund.

Precedence. **"33.** The interest, rents or charges received in the application of this division are allocated first to the payment of the interest due on any loan made in the private market, then to any advance made by the Ministre des finances under section 32 and, finally, to the purposes provided for in the second paragraph.

Precedence. The principal sums received in the application of this division are allocated, first, to the repayment of any loan made in the private market for the purposes of section 32, secondly, to the constitution of a sinking fund authorized by the Government, which shall fix the conditions thereof, then, to the repayment of any advance made by the Ministre des finances under section 32 and, finally, to the payment of interest in the order provided in the first paragraph.

Remainder. Any remainder of the whole amount is paid into the consolidated revenue fund.

Deficit. **"34.** The Ministre des finances is authorized to make up, for each fiscal period, out of the consolidated revenue fund, the deficit representing the net result of the aggregate of

(a) the difference between the sums due as interest on any loan made in the private market or as an advance received from the Ministre des finances for the purposes of section 32, and the sums received as revenues from interest, rents or charges in conformity with the first paragraph of section 33;

(b) the sums required to cover the net loss for each fiscal period resulting from operations effected under this division.

Approval. **"35.** The agency designated under section 28 must, each year, have a plan approved by the Government respecting the acquisition, improvement, development and financing of the immovables contemplated in this division.

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Plan. The Government shall determine the form and content of such plan and the time when it must be presented.

Funding. **“36.** The sums required for the carrying out of this division are taken, for the fiscal period 1979-1980, out of the consolidated revenue fund.”

Coming
into force. **3.** This act comes into force on the day of its sanction.