



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 98

An Act to amend the Farm Producers Act

Introduction

**Introduced by
Mr Yvon Picotte
Minister of Agriculture, Fisheries and Food**



**Québec Official Publisher
1990**

EXPLANATORY NOTES

This bill amends the Farm Producers Act to permit the creation of specialized syndicates whose members are either producers or non-producers engaged in the operation of the farm of a producer and whose object is the study, defence and promotion of interests pertaining to the status of women or to future generations of members.

The bill confers on a certified association the power to pass by-laws permitting to classify producers into categories according to the legal status of their operations and provide certain rules in matters of representation.

Finally, the bill gives to certified associations the power to pass by-laws to fix the rate of interest exigible when producers fail to pay their assessments on time, and introduces certain concordance amendments.

Bill 98

An Act to amend the Farm Producers Act

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 1 of the Farm Producers Act (R.S.Q., chapter P-28) is amended by adding, at the end, the following paragraph:

“A syndicate constituted under the Professional Syndicates Act whose members are either producers or persons engaged in the operation of the farm of a producer and whose object is the study, defence and promotion of those of their interests which relate to the status of women or to future generations of members is considered to be a specialized syndicate.”

2. The said Act is amended by inserting, after section 19, the following sections:

“**19.1** A certified association may, by by-law, classify the producers into categories according to the legal status of their operations and designate among those categories of producers the categories whose members may vote by proxy and the categories whose members may be entitled to two votes.

Every by-law made under the first paragraph must be approved by the Board and be published in the *Gazette officielle du Québec*.

“**19.2** A by-law passed under section 19.1 is executory in respect of any federation or specialized federation, whether it is affiliated or not, and in respect of any producer, whether or not he is a member of a syndicate or of a specialized syndicate whether or not it is affiliated with a federation or specialized federation.”

3. Section 30 of the said Act is amended by replacing the words “section 76 of the Farm Products Marketing Act” in the sixth and

seventh lines by the words “Chapter IX of Title III of the Act respecting the marketing of agricultural, food and fish products”.

4. Section 31 of the said Act is amended

(1) by replacing the second paragraph by the following paragraph:

“The by-law shall determine an annual assessment exigible from each producer by the certified association. The by-law may provide for the category of producers which is entitled to two votes an annual assessment not in excess of twice the amount of the annual assessment exigible from each producer.”;

(2) by replacing the words “section 76 of the Farm Products Marketing Act” in the third and fourth lines of the fourth paragraph by the words “Chapter IX of Title III of the Act respecting the marketing of agricultural, food and fish products”.

5. Section 35 of the said Act is amended by striking out the words “maximum amount of the” in the second line.

6. The said Act is amended by inserting, after section 35, the following section:

“35.1 A certified association may, by by-law, fix and adjust the rate of the interest exigible by reason of a producer’s delay in paying his assessment.

Every by-law made under the first paragraph must be approved by the Board and published in the *Gazette officielle du Québec*.”

7. Section 37 of the said Act is amended by replacing the words “section 76 of the Farm Products Marketing Act” in the third and fourth lines of the first paragraph by the words “Chapter IX of Title III of the Act respecting the marketing of agricultural, food and fish products”.

8. Section 38 of the said Act is amended by replacing the words “Farm Products Marketing Act, an order of the Board rendered in accordance with section 78 of the said act” in the second and third lines of the first paragraph by the words “Act respecting the marketing of agricultural, food and fish products, a by-law of the Board passed under section 129 of the said Act”.

9. This Act comes into force on (*insert here the date of assent to this Act*).