

THIRD SESSION
THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

Bill 99

An Act to amend the Agriculture Department Act

First reading

Second reading

Third reading

M. JEAN GARON
Ministre de l'agriculture



L'ÉDITEUR OFFICIEL DU QUÉBEC

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EXPLANATORY NOTES

The main object of this bill is to enable the Ministre de l'agriculture to establish an arable land bank, for the purpose of alienating or leasing such 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.

The bill provides that the Government, on the conditions it determines, will be able to entrust the administration of the arable land bank to a government agency.

Bill 99

An Act to amend the Agriculture Department Act

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

R.S.,
c. 101,
s. 29, am.

1. Section 29 of the Agriculture Department Act (Revised Statutes, 1964, chapter 101), replaced by section 12 of chapter 16 of the statutes of 1969, is amended by adding at the end the following paragraph:

Immove-
able held
pursuant
to a
location
ticket.

“For such purposes, the Minister may, in particular, acquire any immoveable held pursuant to a location ticket issued under the authority of the Colonization Land Sales Act (Revised Statutes, 1964, chapter 102), 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 immoveable is no longer subject to that act. This paragraph has effect from 22 December 1969.”

R.S.,
c. 101,
Div. VII,
ss. 32-36,
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

Arable
land bank.

“32. Without restricting the powers conferred on the Minister pursuant to Division VI, the latter may constitute an arable land bank for the purpose of alienating or leasing such 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 of
Minister.

For such 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 of maintenance, improvement or development works on any such immovable;

(3) lease, sell or otherwise alienate by onerous title such an immovable at such price and on such conditions 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.

Alienation
of im-
moveables.

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.

Provision
applicable.

The third paragraph of section 29 applies to this division.

Adminis-
tration by
designated
agency.

“33. The Lieutenant-Governor in Council may, on the conditions he determines, entrust the administration of this division to a government agency designated by him. For that purpose, the designated agency shall exercise, on behalf of the Minister, the powers conferred on him under subparagraphs 1, 2 and 3 of the second paragraph and the third paragraph of section 32.

Public
domain.

“34. 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 such property.

Liability.

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

Working
fund.

[[**“35.** In the case where the agency designated under section 33 is the Office du crédit agricole du Québec, the Lieutenant-Governor in Council may establish, for its benefit, a working fund not exceeding two hundred thousand dollars for the disbursements necessary for the administration, protection and maintenance of any immovable acquired or owned by the Bureau 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.

Amounts
required.

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

Regula-
tions.

“36. The Lieutenant-Governor in Council may prescribe, by regulation:

(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;

(3) the conditions that deeds of acquisition or of alienation or leases must contain;

(4) the documents, reports and information to be produced or furnished for the purposes of this division and the delay 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 32, and the criteria enabling the fixing of the price of alienation of such an immoveable.”

Coming
into force.

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