



Province of Alberta

## MARKETING OF AGRICULTURAL PRODUCTS ACT

# **ALBERTA BEEKEEPERS COMMISSION REGULATION**

### **Alberta Regulation 73/2006**

With amendments up to and including Alberta Regulation 129/2017

#### Office Consolidation

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### **Note**

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(Consolidated up to 129/2017)

**ALBERTA REGULATION 73/2006**

**Marketing of Agricultural Products Act**

**ALBERTA BEEKEEPERS COMMISSION REGULATION**

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**Definitions**

**1(1)** In this Regulation,

- (a) “Act” means the *Marketing of Agricultural Products Act*;
- (b) “Commission” means the Alberta Beekeepers Commission;
- (c) “Plan” means the *Alberta Beekeepers Commission Plan Regulation* (AR 59/2006).

**(2)** Words that are defined in either the Act or the Plan have the same meaning when used in this Regulation.

AR 73/2006 s1;99/2011;76/2016

**Service charge**

**2(1)** Every producer with 100 or more colonies in Alberta must pay to the Commission a service charge of \$50 plus \$0.75 per colony per year.

**(1.1)** Commencing with the 2017-18 crop year, every producer with 100 or more colonies in Alberta must, instead of the service charge referred to in subsection (1), pay to the Commission a service charge of \$50 plus \$1.05 per colony per year.

(2) Repealed AR 76/2016 s4.

AR 73/2006 s2;166/2009;100/2012;76/2016;129/2017

#### **Variation of service charge**

**3** The Commission may vary the amount of the service charge if the variation of the service charge is approved

- (a) by a majority of the eligible producers at an annual Commission meeting or a special Commission meeting, and
- (b) by the Council.

AR 73/2006 s3;76/2016

#### **Collection of service charges**

**4** Each eligible producer must, at the end of each crop year, forward to the Commission on or before the next September 30 the service charge that is payable to the Commission in respect of that year.

#### **Refund of service charge**

**5(1)** Any service charge that is paid by or on behalf of a producer must be refunded to the producer on request of the producer.

(2) A request for a refund of the service charge must

- (a) be made in writing on a form that is provided by or acceptable to the Commission, and
- (b) contain the following information:
  - (i) the producer's name;
  - (ii) the producer's mailing address and telephone number;
  - (iii) the number of colonies registered under the *Bee Act*;
  - (iv) any specifics of the refund that are requested by the Commission.

(3) Requests for refunds of service charges must be received by the Commission at its office prior to the end of October in the same crop year for which the service charges apply.

(4) Any request for a refund that is not received by the Commission within the time period specified under subsection (3) will not be considered by the Commission and the producer will

not be entitled to a refund in respect of the service charges in question.

**(5)** Notwithstanding subsection (4), the Commission may, if it is satisfied that extenuating circumstances exist that warrant its doing so, accept an application for the purpose of making a refund where the application is received after the time period referred to in subsection (3).

**(6)** The Commission must refund the service charges to the producer within 90 days

- (a) from the end of the period in which the request for a refund of the service charges is received in accordance with subsection (3), or
- (b) from the date the request for a refund is accepted under subsection (5).

#### **Information**

**6** The Commission may request from a producer the following information:

- (a) the amount of regulated product marketed by a producer and the details of the marketing;
- (b) the amount of regulated product marketed by a person and the manner in which the regulated product is marketed;
- (c) any other general information relating to production and marketing of the regulated product that the Commission requires to carry out its purposes under the Act and the Plan.

#### **Use of funds**

**7** Any funds received by the Commission under the Plan and any interest that accrues in respect of those funds must be used by the Commission for the purposes of paying its expenses and administering the Plan and the regulations.

#### **Interest**

**8** Interest must be paid to the Commission for any late payment of service charges at the rate of 1% per month calculated on the balance due.

**Legal action**

**9** The Commission may commence and maintain any legal action that is necessary to enforce the payment of service charges that are payable under the Plan and this Regulation.

**Expiry**

**10** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on May 31, 2021.

AR 73/2006 s10;99/2011;76/2016

**11** Repealed AR 76/2016 s7.





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