

1950

## c 261 Ontario Food Terminal Act

Ontario

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CHAPTER 261

The Ontario Food Terminal Act

1. In this Act,

Interpre-  
tation.

- (a) "Board" means Ontario Food Terminal Board;
- (b) "fruit and produce" includes dairy products, eggs, fish, honey, maple products, poultry and vegetables;
- (c) "manager" means manager appointed under this Act;
- (d) "Minister" means Minister of Agriculture;
- (e) "regulations" means regulations made under this Act;
- (f) "securities" includes bonds, debentures and promissory notes;
- (g) "Terminal" means Ontario Food Terminal. 1946, c. 63, s. 1; 1948, c. 87, s. 10.

2.—(1) The Ontario Food Terminal Board heretofore constituted is continued as a body corporate and shall have a corporate seal in the form prescribed by the regulations. 1946, c. 63, s. 2 (1), *amended*.

Ontario  
Food  
Terminal  
Board.

(2) The Board shall consist of not more than seven persons appointed by the Lieutenant-Governor in Council.

Members of  
Board.

(3) The Lieutenant-Governor in Council may appoint one of the members of the Board to be chairman and one of the members to be vice-chairman.

Chairman,  
vice-chair-  
man.

(4) A majority of the members of the Board shall constitute a quorum.

Quorum.

(5) The members of the Board shall receive such fees and expenses as the Lieutenant-Governor in Council may determine and any member of the Board who is charged with the performance of any special services may be paid such additional remuneration therefor as the Lieutenant-Governor in Council may determine. 1946, c. 63, s. 2 (2-5).

Allowances  
and ex-  
penses.

3.—(1) Subject to the approval of the Lieutenant-Governor in Council, the Board may appoint a manager of the Terminal and such officers as may be prescribed by the regulations and fix their remuneration, and the appointment of any person as a

Officers,  
remunera-  
tion.

manager or other officer shall not disqualify him from acting as chairman, vice-chairman or a member of the Board.

**Employees.** (2) Subject to the approval of the Board, the manager of the Terminal may appoint such employees as he deems necessary and fix their salaries or other remuneration. 1946, c. 63, s. 3.

**Objects of Board.**

**4.**—(1) The objects of the Board shall be,

(a) to acquire, construct, equip and operate a wholesale fruit and produce market in the County of York to be known as the Ontario Food Terminal and to acquire and operate such facilities for the transportation and handling of fruit and produce as may be necessary for the purposes of the Terminal; and

(b) to do such other acts as may be necessary or expedient for the carrying out of its operations and undertakings.

**Power to borrow money and issue securities.**

(2) The Board shall have power to borrow money and to issue securities for the purpose of carrying out any of its objects and to make such securities payable as to principal and interest at such time or times and in such manner and at such place or places as the Board may determine. 1946, c. 63, s. 4 (1, 2).

**General objects and powers. Rev. Stat., c. 59.**

(3) The Board shall have the objects and powers set out in sections 23 and 24 of *The Companies Act*. 1946, c. 63, s. 4 (3); 1949, c. 67, s. 1.

**Agreements.**

**5.** The Board may rent space in the Terminal to such persons and upon such terms as to the Board may seem proper and may make such arrangement and enter into such agreement with any such person as it may deem advisable in the circumstances. 1946, c. 63, s. 5.

**Guarantee by Province.**

**6.**—(1) The Lieutenant-Governor in Council may authorize the Treasurer of Ontario for and on behalf of Ontario to guarantee the payment of any securities issued by the Board, the repayment of any advances made by banks to the Board and the payment of any other indebtedness incurred by the Board.

**Form of guarantee.**

(2) The form of any such guarantee and the manner of its execution shall be determined by the Lieutenant-Governor in Council. 1946, c. 63, s. 6.

**Application of moneys.**

**7.** All moneys received by the Board from the operation of its undertakings or otherwise shall be applied to,

- (a) operating expenses;
- (b) payment of interest on indebtedness; and
- (c) repayment of principal moneys borrowed,

and any surplus moneys remaining in any year after paying for operating expenses, interest on indebtedness and the repayment of any part of the principal moneys payable in that year shall be used in reducing the cost of operating the Terminal, reducing the fees, rents or other charges charged or made by the Board or for the setting up of such reserve funds as the Board may determine. 1946, c. 63, s. 7.

**8.** The Board shall, not later than the 31st day of January in every year, make an annual report to the Minister upon its operations during the preceding year and the report shall be laid before the Assembly as soon as may be. 1946, c. 63, s. 8.

**9.** The books and accounts of the Board shall be audited and checked from time to time by the Provincial Auditor or such other auditor as the Lieutenant-Governor in Council may designate and such auditor shall make an annual report to the Treasurer of Ontario. 1946, c. 63, s. 9.

**10.** The Board may be sued and may institute or defend proceedings in any court. 1946, c. 63, s. 10.

**11.** The real and personal property, business and income of the Board shall be exempt from all assessment and taxation made, imposed or levied by or under the authority of any Act of the Legislature but, with the approval of the Lieutenant-Governor in Council, any land owned by the Board may be made subject to assessment and taxation for municipal and school purposes at the actual value thereof according to the average value of the land in the locality, or at such value as may be agreed upon by the council of the local municipality and the Board. 1946, c. 63, s. 11.

**12.** No person shall establish or operate within the City of Toronto or the Counties of York or Peel any market for the sale by wholesale of fruit and vegetables except with the approval of the Board, but this section shall not apply to any such market which was being regularly and continuously operated as of the 1st day of May, 1946, so long as it is not extended or enlarged. 1946, c. 63, s. 12; 1949, c. 67, s. 2.

**13.** Subject to the approval of the Lieutenant-Governor in Council, the Minister may make regulations,

- (a) prescribing the officers of the Board and prescribing the powers and duties of such officers and of the manager;
  - (b) prescribing the form of the seal of the Board;
  - (c) limiting or regulating the objects and powers of the Board or the exercise thereof;
  - (d) prescribing the records, books and accounts to be kept by the Board;
  - (e) regulating the operation and management of the Terminal;
  - (f) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1946, c. 63, s. 13.
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