

1927

# c 70 Agricultural Associations Act

Ontario

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## Bibliographic Citation

*Agricultural Associations Act*, RSO 1927, c 70

## Repository Citation

Ontario (1927) "c 70 Agricultural Associations Act," *Ontario: Revised Statutes*: Vol. 1927: Iss. 1, Article 74.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1927/iss1/74>

## CHAPTER 70.

## The Agricultural Associations Act.

Interpretation.

"Association."

"Minister."

Certain bodies declared to be corporations.

**1.** In this Act,

(a) "Association" shall mean any one of the organizations referred to in sections 2 and 20.

(b) "Minister" shall mean the Minister of Agriculture. R.S.O. 1914, c. 46, s. 2.

**2.** The following associations, societies and organizations shall be, or continue to be, bodies corporate under the provisions of this Act:—

The Fruit Growers' Association of Ontario.  
 The Entomological Society of Ontario.  
 The Dairymen's Association of Eastern Ontario.  
 The Dairymen's Association of Western Ontario.  
 The Ontario Poultry Association.  
 The Eastern Ontario Poultry Association.  
 The Ontario Bee-keepers' Association.  
 The Ontario Agricultural and Experimental Union.  
 The Dominion Sheep Breeders' Association.  
 The Dominion Swine Breeders' Association.  
 The Dominion Cattle Breeders' Association.  
 The Canadian Horsemen's Association.  
 The Ontario Horse Breeders' Association.  
 The Ontario Vegetable Growers' Association.  
 The Gardeners' and Florists' Association.  
 The Ontario Corn Growers' Association.  
 The Ontario Plowmen's Association.  
 The Ontario Swine Breeders' Association.  
 The Ontario Seed Growers' Association,

and such other associations, societies, institutes, or organizations as may be designated by the Lieutenant-Governor in Council. R.S.O. 1914, c. 46, s. 3; 1916, c. 24, s. 3 (1); 1920, c. 27, s. 2; 1921, c. 29, s. 2.

Membership.

**3.** The membership of each association shall consist of annual subscribers, and the membership fee shall be fixed by by-law. R.S.O. 1914, c. 46, s. 4.

Constitution and by-laws.

**4.** Each association shall have a constitution and by-laws, under which the association shall be conducted, and the constitution and by-laws, and any change, alteration or repeal thereof shall be submitted to and approved by the Minister before the same shall have force or effect. R.S.O. 1914, c. 46, s. 5.

**5.** Each association shall hold an annual meeting at such time and place as may be determined by by-law. R.S.O. 1914, c. 46, s. 6. Annual meeting.

**6.** Each association, at its annual meeting, shall elect a board of directors, the number of directors, their representation of certain districts or classes of members, and their mode of selection being determined by by-law. R.S.O. 1914, c. 46, s. 7. Election of directors.

**7.** The members may elect as director a person not a member of the association, but the person so elected must, within ten days, become a member, and he shall be entitled to act as director only after he has become a member of the association. R.S.O. 1914, c. 46, s. 8. Non-members, election of.

**8.** At each annual meeting the retiring officers shall present a full report of their proceedings, and of the proceedings of the association, and a detailed statement of the receipts and expenditure for the previous year, and of the assets and liabilities, duly audited, and a copy of the report, and of each of the statements of the receipts and expenditure, together with a list of the members and a list of the officers elected, and also such general information on matters of special interest to each association as the association has been able to obtain, shall be sent to the Minister within forty days after the holding of the annual meeting. R.S.O. 1914, c. 46, s. 9. Statements at annual meeting.

**9.**—(1) The directors shall, from among themselves, elect a president and one or more vice-presidents; and shall also from among themselves or otherwise elect a secretary and a treasurer or a secretary-treasurer. President and vice-president. Secretary-treasurer.

(2) Except as otherwise provided for, a majority of the directors of the association shall form a quorum. R.S.O. 1914, c. 46, s. 10. Quorum.

**10.** The directors shall have full power to act for and on behalf of the association, and all grants of money and other funds of the association shall be received and expended under their direction, subject to the by-laws and regulations of the association. R.S.O. 1914, c. 46, s. 11. Powers of directors.

#### AUDIT OF ACCOUNTS.

**11.** The Minister may appoint a person who shall audit the accounts of any association, and such auditor shall present a report of the result of his audit to the officers of the association, and also to the Minister. R.S.O. 1914, c. 46, s. 12. Auditing of accounts.

## GENERAL PROVISIONS AS TO ELECTIONS.

Right of voting.

**12.** The members of the association may by by-law provide that only those members who have paid their subscriptions at least one week in advance of the annual meeting shall be qualified to vote at the annual meeting for the election of directors. R.S.O. 1914, c. 46, s. 13.

Vacancies in offices.

**13.** Except as otherwise provided, a vacancy occurring by the death or resignation, or failure to qualify as member, of any officer or director may be filled by the remaining officers of the association; and it shall be the duty of such officers to nominate and appoint a fit and proper person to fill the office for the unexpired term of the person so dying or resigning; but in the event of the remaining officers being insufficient to form a quorum, or, if, for any reason, a quorum cannot be obtained, then persons to fill the vacant offices shall be elected in manner provided in the next section. R.S.O. 1914, c. 46, s. 14.

Continuance in office.

**14.**—(1) In the event of an election of any directors of an association not being held at the time or place directed by by-law or being for any reason illegal and void, the persons in office at the time when such officers or directors should have been elected shall continue to be the officers of the association until their successors are legally appointed.

Failure to elect—special meeting.

(2) In the event of any such non-election or illegal election, a special meeting of the members of the association shall, as soon as practicable, be called in the manner provided by this Act, for the election of such directors; and at such meeting the election of officers shall take place, and the persons elected shall thenceforth, until their successors are appointed, be the officers of the association. R.S.O. 1914, c. 46, s. 15.

## MEETING OF DIRECTORS.

Special meeting of directors.

**15.** A special meeting of the directors of any association organized under this Act may be called by the president thereof, or, in his absence or on his neglect, by the vice-president, or, in the absence or on the neglect of the president and vice-president, by any three members of the association, of which meeting at least seven days' notice shall be given to each member. R.S.O. 1914, c. 46, s. 16.

## SECURITY BY TREASURER.

Security by treasurer.

**16.**—(1) The treasurer of every association before entering upon the duties of his office shall give such security, either by joint or several covenant with one or more sureties, or otherwise, as the board of directors may deem necessary, for the faithful performance of his duties and especially for the duly accounting for and paying over all money which may come into his hands.

(2) It shall be the duty of the board in each and every year to inquire into the sufficiency of the security given by the treasurer and to report thereon; and where the same treasurer for any association is re-appointed from year to year his re-appointment shall not be considered as a new term of office, but as a continuation of the former appointment, and any bond or security given to the association for the faithful performance of his duties under such re-appointment shall continue valid as against the parties thereto.

Duty of board  
as to security.

(3) If the officers of an association neglect to procure and maintain proper and sufficient security they shall be personally responsible for all funds of the association in the possession of the treasurer. R.S.O. 1914, c. 46, s. 17.

Personal  
responsibility  
of officers  
for loss.

**17.** Every association shall be entitled to receive annually out of any moneys appropriated by the Legislature for that purpose a specified sum on the following conditions:—

Legislative  
grant.

- (a) That the number of *bona fide* members is at least fifty;
- (b) That the secretary of the association shall, on or before the 1st day of September in each year, transmit to the Minister an affidavit, stating the number of members who have paid their subscriptions for the current year, and the total amount of such subscriptions;
- (c) That the general provisions of this Act applying to the associations have been complied with;
- (d) That none of the funds of the association, from whatever source derived, have been expended in a manner inconsistent with the purposes of organization of the association. R.S.O. 1914, c. 46, s. 18; 1926, c. 21, s. 11.

**18.** If an association ceases for twelve consecutive months to do business as required by this Act and by its constitution, by-laws and rules, or if the Minister is satisfied, after an enquiry at which the association was given due notice to appear, that the business of the association is not being properly conducted, the Minister may declare the corporate powers of the association forfeited. R.S.O. 1914, c. 46, s. 19.

Forfeiture of  
powers for  
non-user.

#### WINTER FAIRS.

**19.**—(1) The Ontario Horticultural Exhibition, the Ontario Provincial Winter Fair, the Ottawa Winter Fair, the Peninsular Winter Fair and such other organizations as may hereafter be designated by the Lieutenant-Governor in Council, shall be corporate bodies under this Act with power

Certain  
fairs and  
exhibitions  
incorporated.

to acquire and hold land as a site for fairs and exhibitions, to sell, mortgage, lease or otherwise dispose of the same or any other property held by such body, and the Lieutenant-Governor in Council may prescribe such constitution, rules and regulations as are deemed necessary.

Sub. 1.  
retroactive.

(2) Subsection 1 shall have effect as from the 1st day of January, 1909. 1927, c. 28, s. 3.

#### INCORPORATION OF OTHER ASSOCIATIONS.

Admission of  
other  
societies.

**20.**—(1) Upon the petition of any association or society not subject to the provisions of this Act, but formed for the purpose of advancing the interests of any branch of agriculture, being presented to the Lieutenant-Governor in Council, the Lieutenant-Governor may, by Order in Council, declare that this Act shall apply to the association or society so petitioning, and thereafter this Act shall apply to such association or society in the same manner and to the same extent as if it had been incorporated under this Act.

Publication  
of Order in  
Council.

(2) Every such Order in Council shall be published in the *Ontario Gazette* for two weeks following the date of its passing. R.S.O. 1914, c. 46, s. 21.

#### ADVISORY BOARD.

Advisory  
board for  
live stock.

**21.**—(1) An advisory board for live stock may be formed to advise the Minister regarding matters of interest to the live stock industry.

Board,  
powers and  
duties of.

(2) The Lieutenant-Governor may by Order in Council direct how the board shall be constituted, and may prescribe the duties and powers of the board.

Allowances  
for expenses.

(3) Members of the advisory board shall receive an allowance for their time and for their necessary travelling expenses in attending meetings of the board, or a committee of the board. R.S.O. 1914, c. 46, s. 22.

#### FARMERS' AND WOMEN'S INSTITUTES.

Farmers' and  
women's  
institutes.

**22.**—(1) The formation of boards of agriculture, farmers' institutes and of women's institutes, for the purpose of disseminating information in regard to agriculture, and of improving domestic life, shall be permitted under this Act, and the same shall constitute associations under this Act. R.S.O. 1914, c. 46, s. 23 (1); 1916, c. 24, s. 3 (2).

Rules and  
regulations.

(2) The Lieutenant-Governor in Council may, upon recommendation of the Minister, make rules and regulations providing for the number and location of the boards of agriculture, farmers' institutes and women's institutes, for the general guidance and direction of the same, and fixing the grants, and conditions upon which the grants are to be paid. R.S.O. 1914, c. 46, s. 23 (2); 1916, c. 24, s. 3 (3).