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c 8 Agricultural Associations Act

Ontario
CHAPTER 8

The Agricultural Associations Act

1. In this Act,

(a) "association" means an organization mentioned in section 2 or designated under section 2 or to which the Act applies under section 21 or constituted an association under section 23;

(b) "Minister" means the Minister of Agriculture and Food. R.S.O. 1960, c. 6, s. 1, amended.

2. The following associations, societies and organizations are bodies corporate under this Act:

- The Ontario Fruit and Vegetable Growers' Association,
- 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 Ontario Horse Breeders' Association,
- The Gardeners' and Florists' Association,
- The Ontario Corn Growers' Association,
- The Ontario Plowmen's Association,
- The Ontario Swine Breeders' Association,

and such other associations, societies, institutes or organizations as the Lieutenant Governor in Council designates. R.S.O. 1960, c. 6, s. 2.

3. The membership of each association shall consist of annual subscribers, and the membership fee shall be fixed by by-law. R.S.O. 1960, c. 6, s. 3.

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 has force or effect. R.S.O. 1960, c. 6, s. 4.

5. Each association shall hold an annual meeting at such time and place as are determined by by-law. R.S.O. 1960, c. 6, s. 5.
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. 1960, c. 6, s. 6.

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 is entitled to act as director only after he has become a member of the association. R.S.O. 1960, c. 6, s. 7.

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. 1960, c. 6, s. 8.

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.

(2) Except where otherwise provided, a majority of the directors of the association forms a quorum. R.S.O. 1960, c. 6, s. 9.

10. The directors 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. 1960, c. 6, s. 10.

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. 1960, c. 6, s. 11.

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 are qualified to vote at the annual meeting for the election of directors. R.S.O. 1960, c. 6, s. 12.
13. Except as otherwise provided, a vacancy occurring by the death or resignation, or failure to qualify as a member, of any officer or director may be filled by the remaining officers of the association, and it is 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 the manner provided in section 14. R.S.O. 1960, c. 6, s. 13.

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.

(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. 1960, c. 6, s. 14.

15. A special meeting of the directors of an association 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. 1960, c. 6, s. 15.

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 considers necessary, for the faithful performance of his duties and especially for the due accounting for and paying over of all money that comes into his hands.

(2) It is the duty of the board in each year to inquire into the sufficiency of the security given by the treasurer and to report thereon and, where the same treasurer is reappointed from year to year, his reappointment 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 reappointment continues valid as against the parties thereto.
(3) If the officers of an association neglect to procure and maintain proper and sufficient security, they are personally responsible for all funds of the association in the possession of the treasurer. R.S.O. 1960, c. 6, s. 16.

17. — (1) Every association is entitled to receive annually out of the moneys appropriated by the Legislature for the purpose a specified sum on condition,

(a) that the number of bona fide members is at least fifty;
(b) that the secretary of the association will, 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 this Act has been complied with; and
(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.

(2) Any municipal council may grant or loan money or grant land in aid of any agricultural association formed within the limits of the municipality, or partly within the limits of such municipality and partly within the limits of other municipalities, or wholly within the limits of an adjoining municipality, when such association has made the returns required by this Act, but the total amount or value of the money or land granted or loaned by any municipality to an agricultural association under this section shall not exceed $5,000 in the case of a city, $2,000 in the case of a town and $1,000 in the case of a village. R.S.O. 1960, c. 6, s. 17.

18. If an association ceases for twelve consecutive months to do business as required by this Act and by its constitution and by-laws, or if the Minister is satisfied, after an inquiry of 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. 1960, c. 6, s. 18.

19. The Ontario Horticultural Exhibition, the Ottawa Winter Fair, the Peninsular Winter Fair and such other organizations as are designated by the Lieutenant Governor in Council are corporate bodies under this Act with power 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 considered necessary. R.S.O. 1960, c. 6, s. 19.
Sec. 23 (2) AGRICULTURAL ASSOCIATIONS

20.—(1) Any association, society, institute or organization mentioned in or designated under section 2 has power to acquire and hold land for such purposes as the Lieutenant Governor in Council approves and has power to sell, mortgage, lease or otherwise dispose of such land.

(2) The Lieutenant Governor in Council may regulate and govern the acquisition, holding or disposition of land by associations, societies, institutes or organizations, or by any one or more of them. R.S.O. 1960, c. 6, s. 20.

21. Upon the petition of any association or society not subject to 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 in Council may declare that this Act applies to the association or society so petitioning, and thereafter this Act applies to such association or society in the same manner and to the same extent as if it had been incorporated under this Act. R.S.O. 1960, c. 6, s. 21.

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

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

(3) Members of the advisory board shall receive an allowance for their time and their necessary travelling expenses in attending meetings of the board or a committee of the board. R.S.O. 1960, c. 6, s. 22.

23.—(1) The formation of boards of agriculture, farmers’ institutes and 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 constitute associations under this Act.

(2) The Lieutenant Governor in Council may make regulations providing for the number and location of boards of agriculture, farmers’ institutes and women’s institutes, for their general guidance and direction, and fixing the grants and the conditions upon which the grants are to be paid. R.S.O. 1960, c. 6, s. 23.