Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
Definitions	Definitions	1. Definitions	Some definitions have been
1 In this Regulation,	1 In this Regulation,	1. Words not defined in these	moved to bylaws and some
(a)"Act" means the Marketing of	(a) "Act" means the Marketing of	Bylaws have the same meaning	maintained in Plan Regulation,
Agricultural Products Act;	Agricultural Products Act;	as they do in the Act, the Plan	for some the language has been
(b)"area" means an area referred	(b) "area" means an area	and Potato Growers of Alberta	streamlined.
to in section 7;	referred to in section 12;	Commission Regulation (AR	
(b.1) "assets" means economic	(c) "board" means the board of	277/1998).	Within the Plan Regulation, the
resources controlled by the body	directors of the commission;	2. In the Bylaws,	definitions of "bylaws", "board",
as a result of past transactions	(d) "bylaws" means the bylaws	a) "Act" means the Marketing of	and "director" have been added
and from which future economic	made by the commission	Agricultural Products Act.	and some other sections
benefits may be obtained;	pursuant to section 26(2.1) of the	b) "Assets" means economic	amended to reference bylaws.
(b.2) "auditor" means a	Act;	resources controlled by the body	The definition of "Canada Act"
professional accounting firm	(e) "commission" means the	as a result of past transactions	and "Council" were removed.
registered under the Chartered	Potato Growers of Alberta	and from with future economic	
Professional Accountants Act and	referred to in section 7;	benefits may be obtained;	
authorized to perform an audit	(f) "dealer" means any person	c) "Auditor" means a professional	
engagement;	engaged in the business of	accounting firm registered under	
(c)"Canada Act" means	marketing potatoes purchased or	the Chartered Professional	
(i)the Farm Products Agencies	received from a licensed	Accountants Act and authorized	
Act (Canada);	producer;	to perform an audit engagement;	
(ii) the Agricultural Products	(g) "director" means a director of	d) "Board" means the board of	
Marketing Act (Canada);	the board;	directors of the Commission;	
(iii) the Advance Payments for	(h) "licensed producer" means a	e) "Bylaws" means the bylaws	
Crops Act (Canada);	producer who holds a producer's	made by the Commission	
(d) "Commission" means the	licence and grows potatoes	pursuant to section 26(2.1) of the	
Potato Growers of Alberta	(i) on one or more parcels of	Act;	
referred to in section 8;	land that in the aggregate exceed	f) "Director" means a director of	
(e) Council" means the Alberta	5 acres, or	the Board;	
Agricultural Products Marketing	(ii) by means of an undertaking	g) "Investment" means a	
Council;	that consists of a facility or	commitment of assets in order to	
	operation made up of one or	gain a financial return but does	

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(f) "dealer" means any person	more greenhouses or	not include an expenditure of	
engaged in the business of	laboratories or any combination	assets for the purpose of	
marketing potatoes that are	of greenhouses and laboratories	research and development or	
purchased or received from a	where the annual gross income,	current operations;	
licensed producer;	sales and transfers arising from	h) "Representative" means an	
(f.1) "investment" means a	potatoes derived from that	individual appointed as a	
commitment of assets in order to	undertaking exceeds \$10 000;	representative under section 8;	
gain a financial return but does	(i) "person" means a person as	i) "Voters List" means a list of	
not include an expenditure of	defined in the Interpretation Act	individuals entitled to vote in an	
assets for the purposes of	and includes	election provided for in the	
research and development or	(i) a partnership as defined in	bylaws;	
current operations;	the Partnership Act,		
(g) "licensed producer" means a	(ii) an unincorporated		
producer who holds a producer's	organization that is not a		
licence and	partnership referred to in		
(i) grows potatoes on one or	subclause (i), and		
more parcels of land that in the	(iii) any group of individuals		
aggregate exceed 5 acres, or	who are carrying on an activity		
(ii) grows potatoes by means of	for a common purpose and are		
an undertaking that consists of a	neither a partnership referred to		
facility or operation made up of	in subclause (i) nor an		
one or more greenhouses or	unincorporated organization		
laboratories or any combination	referred to in subclause (ii);		
of greenhouses and laboratories	(j) "Plan" means the Potato		
where the annual gross income,	Growers of Alberta Plan referred		
sales and transfers arising from	to in section 3;		
potatoes derived from that	(k) "potatoes" means a vegetable		
undertaking exceeds	of the species Solanum		
\$10 000;	tuberosum, and all related tissue,		
(h) "marketing"	grown in Alberta;		
	(I) "processing"		

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
 (I) "processing" (i) means changing by any means including dehydration the nature or form of potatoes from their raw or natural state, and (ii) includes any function or activity designated as processing by the Lieutenant Governor in Council; (m) "processor" means a person engaged in the business of processing potatoes; (n) "producer" means a person who grows potatoes; (o) "regulated product" means potatoes; (p) "representative" means an individual appointed as a representative under section 18; (q) "voters list" means a list of individuals entitled to vote in an election provided for in this Plan. 			

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
Designation of agricultural	Designation of agricultural		Maintained in Plan Regulation.
product	product		
2 Potatoes are designated as an	2 Potatoes are designated as an		
agricultural product for the	agricultural product for the		
purposes of the Act.	purposes of the Act.		
Plan continued	Plan continued		Maintained in Plan Regulation,
3 The Alberta Potato Marketing	3 The Potato Growers of Alberta		the language has been
Plan, established under Alberta	Plan continued under the Potato		streamlined.
Regulation 208/88 and amended	Growers of Alberta Plan		
and continued under Alberta	Regulation (AR 291/2002) is		
Regulation 274/97, is hereby	amended and continued under		
revised, amended and continued	this Regulation.		
under this Regulation with the			
name "Potato Growers of Alberta			
Plan".			
Termination of Plan	Termination of Plan		Maintained in Plan Regulation.
4 This Plan does not terminate at	4 The Plan does not terminate at		
the conclusion of a specific	the conclusion of a specific		
period of time and shall remain in	period of time and remains in		
force unless otherwise	force unless otherwise		
terminated pursuant to the Act.	terminated pursuant to the Act.		
Application of Plan	Application of Plan		Maintained in Plan Regulation,
5(1) This Plan applies	5(1) Subject to subsections (2)		the language has been
(a) to all of Alberta;	and (3), the Plan applies		streamlined.
(b) to all persons who produce	(a) to all of Alberta,		
or market or produce and market	(b) to all persons in Alberta		
potatoes;	who produce or market, or		
(c) for the purposes of section	produce and market,		
10(b), (c), (d), (e) and (g), to	potatoes, and		
processors and dealers.	(c) for the purposes of		
	section 9(b), (c), (d), (e) and		

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
 (2) Notwithstanding subsection (1), this Plan does not apply to persons who (a) grow potatoes on one or more parcels of land that do not in the aggregate exceed 5 acres, or (b) grow potatoes by means of an undertaking that consists of a facility or operation made up of one or more greenhouses or laboratories or any combination of greenhouses and laboratories where the annual gross income, sales and transfers arising from potatoes derived from that undertaking does not exceed \$10 000. (3) Notwithstanding subsection (1), this Plan does not apply to a greenhouse, laboratory or field potato production or marketing 	 (g), to processors and dealers. (2) The Plan does not apply to persons who grow potatoes (a) on one or more parcels of land that do not in the aggregate exceed 5 acres, or (b) by means of an undertaking that consists of a facility or operation made up of one or more greenhouses or laboratories or any combination of greenhouses and laboratories where the annual gross income, sales and transfers arising from potatoes derived from that undertaking does not exceed \$10 000. (3) The Plan does not apply to a greenhouse, laboratory or field potato production or marketing operation that is owned or 	Bylaws	
operation that is owned or operated by the Crown in right of Alberta or Canada.	operated by the Crown in right of Alberta or Canada.		
Purposes of Plan	Purposes of Plan		Maintained in Plan Regulation,
6 The purposes of this Plan are(a) to provide for the initiation,support and conduct of programs	6 The Plan has the following purposes:(a) to provide for the initiation,		the language has been streamlined.
for stimulating, increasing and improving the economic well-	support and conduct of programs for stimulating, increasing and		

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
being of the potato industry in	improving the economic well		
Alberta;	being of the potato industry in		
(b) to provide for the initiation,	Alberta;		
support or conduct of studies and	(b) to provide for the initiation,		
research and development in	support or conduct of studies and		
connection with	research and development in		
(i) the sustainable production	connection with		
of potatoes,	(i) the sustainable production of		
(ii) the processing and	potatoes,		
marketing of potatoes,	(ii) the processing and		
(iii) the industrial use of	marketing of potatoes,		
potatoes and by-products of	(iii) the industrial use of		
potatoes,	potatoes and by-products of		
(iv) consumer needs and	potatoes,		
demands with respect to	(iv) consumer needs and		
potatoes, and	demands with respect to		
(v) components of potatoes for	potatoes, and		
food, pharmaceuticals,	(v) components of potatoes for		
nutraceuticals and medical	food, pharmaceuticals,		
purposes;	nutraceuticals and medical		
(c) to provide assistance in the	purposes;		
education of producers with	(c) to provide assistance in the		
respect to the proper and	education of producers with		
profitable methods of	respect to the proper and		
production, marketing and	profitable methods of		
processing of potatoes;	production, marketing and		
(d) to provide for the initiation,	processing of potatoes;		
support and conduct of	(d) to provide for the initiation,		
promotional activities in respect	support and conduct of		
of the production, marketing and	promotional activities in respect		
processing of potatoes;	of the production, marketing and		
	processing of potatoes;		

RegulationBylaws(e) to work with any organization that has similar objectives to those of the Commission;(e) to work with any organization that has similar objectives to those of the commission;(f) to develop industry alliances with other marketing boards and commissions, grower(f) to develop industry alliances with other marketing boards and commissions, grower	Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
that has similar objectives to those of the Commission; (f) to develop industry alliances with other marketing boards andthat has similar objectives to those of the commission; (f) to develop industry alliances with other marketing boards and		Regulation	Bylaws	
associations and co-operatives and other persons to increase producer participation in the industry; (g) to provide market information to producers, to encourage the exchange of information among producers and to encourage communication among producers; (h) to encourage fair and ethical practices among producers; (h) to cooperate with the Government of Canada and the Government of Alberta with respect to the production, marketing and processing of potatoes.	that has similar objectives to those of the Commission; (f) to develop industry alliances with other marketing boards and commissions, grower associations and co-operatives and other persons to increase producer participation in the industry; (g) to provide market information to producers, to encourage the exchange of information among producers and to encourage communication among producers; (h) to encourage fair and ethical practices among producers; (i) to co-operate with the Government of Canada and the Government of Alberta with respect to the production, marketing and processing of	 (e) to work with any organization that has similar objectives to those of the commission; (f) to develop industry alliances with other marketing boards and commissions, grower associations and cooperatives and other persons to increase producer participation in the industry; (g) to provide market information to producers, to encourage the exchange of information among producers and to encourage communication among producers; (h) to encourage fair and ethical practices among producers; (i) to cooperate with the Government of Canada and the Government of Alberta with respect to the production, marketing and processing of 	Bylaws	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
Areas	Areas		
7 For the purposes of this Plan,	12 For the purposes of the Plan		Maintained in Plan Regulation,
Alberta is divided into 2 areas as	and the bylaws, Alberta is divided		the language has been
follows:	into the following areas:		streamlined.
(a) Alberta North consisting of all	(a) Alberta North consisting of all		
of that area of Alberta that is	of the area of Alberta that is		
north of the 7th base line;	north of the 7th base line;		
(b) Alberta South consisting of all	(b) Alberta South consisting of all		
of that area of Alberta that is	of the area of Alberta that is		
south of the 7th base line.	south of the 7th base line.		
Board continued as a	Commission continued		Maintained in Plan Regulation,
commission	7 The commission known as the		the language has been
8 The board known as the	Potato Growers of Alberta is		streamlined.
"Potato Growers of Alberta" is	continued.		
hereby continued under this Plan			
as a commission known as the			
"Potato Growers of Alberta".			
Functions of the Commission	Functions of commission	2. Operation of the Plan by The	Some subsections maintained in
9 The Commission is responsible	8 The commission	Commission	Plan Regulation and some
for the operation, regulation,	(a) is responsible for the	2(1) The Commission must;	subsections moved to bylaws.
supervision and enforcement of	operation, regulation,	a) Open one or more accounts in	
this Plan and, without limiting	supervision and enforcement of	a bank, trust company, treasury	
the generality of the foregoing,	the Plan, the bylaws and	branch, credit union or other	
the Commission,	regulations made by the	secured depository;	
(a) must open one or more	commission, and	b) When investing its assets,	
accounts in a bank, trust	(b) in accordance with section 50	make prudent investments in	
company, treasury branch, credit	of the Act, with respect to the	accordance with the	
union or other secured	production or marketing, or both,	requirements of section 33 of the	
depository;	of the regulated product, may be	Trustee Act and may delegate to	
(a.1) when investing its assets,	authorized to perform any	an agent in accordance with	
must make prudent investments	function or duty and exercise any	section 51(1) and (2) and 53 of	
in accordance with the	power imposed or conferred on	that Act;	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
requirements of section 33 of the	the commission by the	c) Establish policies respecting	
Trustee Act and may delegate to	Agricultural Marketing Programs	the management of its assets as	
an agent in accordance with	Act (Canada) or under any	required by the Operation of	
sections 51(1) and (2) and 53 of	Canada Act.	Boards and Commissions	
that Act;		Regulation (AR 26/99);	
(a.2) must establish policies		d) Designate those officers,	
respecting the management of its		employees and other persons as	
assets as required by the		are necessary to sign cheques,	
Operation of Boards and		approve EFTs and any other	
Commissions Regulation (AR		necessary transactions to	
26/99);		transact the Commission's	
(b) must designate those officers,		business with its bank, trust	
employees and other persons as		company, treasury branch, credit	
are necessary to sign cheques		union or other secured	
and transact the Commission's		depository;	
business with its bank, trust		e) Cause books and records,	
company, treasury branch, credit		including financial records, to be	
union or other secured		maintained,	
depository;		(i) From time to time as may be	
(c) must cause books and		required under the Act, the	
records, including financial		regulations or by order of	
records, to be maintained,		Council, or	
(i) from time to time as may be		(ii) As may be determined by	
required under the Act, the		the Commission; and	
regulations or by order of the		f) Open its books and records for	
Council, or		inspection at all reasonable times	
(ii) as may be determined by		at the office of the Commission	
the Commission;		on the written request of any	
(d) must open its books and		licensed producer;	
records for inspection at all		g) Maintain an office, the	
reasonable times at the office of		location of which at all times is to	
		be made know to the Council and	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
the Commission on the written		each licensed producer, dealer	
request of any licensed producer;		and processor.	
(e) must maintain an office, the		(2) The Commission may;	
location of which at all times is to		a) Enter into an operating line of	
be made known to the Council		credit or other loan agreement	
and each licensed producer,		with its bank, trust company,	
dealer and processor;		treasury branch, credit union or	
(f) may enter into an operating		other lending institution;	
line of credit or other loan		b) Designate those officers,	
agreement with its bank, trust		employees and other persons as	
company, treasury branch, credit		are necessary to transact the	
union or other lending		Commission's business;	
institution;		c) Appoint officers, employees	
(g) may designate those officers,		and agents, prescribe their duties	
employees and other persons as		and fix their renumeration;	
are necessary to transact the		d) Subject to the Act, the	
Commission's business;		regulations and any orders of	
(h) may appoint officers,		Council, issue general orders	
employees and agents, prescribe		governing the Commission's	
their duties and fix their		internal operation as it may from	
remuneration;		time to time determine;	
(i) may, subject to the Act, the		e) Become a member of any	
regulations and any orders of the		organization that promotes the	
Council, issue general orders		interests of producers;	
governing the Commission's		f) Contribute funds to any	
internal operation as it may from		organization that promotes the	
time to time determine;		interest of producers; and	
(j) may become a member of any		g) Retain earnings and revenues	
organization that promotes the		from year to year to finance the	
interests of producers;		purposes of the Plan	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
(k) may contribute funds to any			
organization that promotes the			
interests of producers;			
(I) may, in accordance with			
section 50 of the Act, with			
respect to the production or			
marketing, or both, of potatoes,			
be authorized to perform any			
function or duty and exercise any			
power imposed or conferred on			
the Commission by or under any			
Canada Act;			
(m) may retain earnings and			
revenues from year to year to			
finance the purposes of the Plan.			
Regulations to operate Plan	Regulations to operate Plan		Maintained in Plan Regulation.
10 The Commission is authorized	9 The commission is authorized		
under section 26(1) of the Act to	under section 26(1) of the Act to		
make, with the approval of the	make, with the approval of the		
Council, regulations	Council, regulations		
(a) requiring producers engaged	(a) requiring producers engaged		
in the production or marketing,	in the production or marketing,		
or both, of the regulated product	or both, of the regulated product		
to register their names and	to register their names and		
addresses with the Commission;	addresses with the commission;		
(b) requiring any person who	(b) requiring any person who		
produces, markets or processes	produces, markets or processes		
the regulated product to furnish	the regulated product to furnish		
to the Commission any	to the commission any		
information or record relating to	information or record relating to		
the production, marketing or	the production, marketing or		

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
processing of the regulated	processing of the regulated		
product that the Commission	product that the commission		
considers necessary;	considers necessary;		
(c) requiring persons to be	(c) requiring persons to be		
licensed under this Plan before	licensed under the Plan before		
they become engaged in the	they become engaged in the		
production, marketing and	production, marketing and		
processing, or any one or more of	processing, or any one or more of		
those functions, of the regulated	those functions, of the regulated		
product;	product;		
(d) prohibiting persons from	(d) prohibiting persons from		
engaging in the production,	engaging in the production,		
marketing or processing, as the	marketing or processing, as the		
case may be, of the regulated	case may be, of the regulated		
product except under the	product except under the		
authority of a licence issued	authority of a licence issued		
under this Plan;	under the Plan;		
(e) governing the issuance,	(e) governing the issuance,		
suspension or cancellation of a	suspension or cancellation of a		
licence issued under this Plan;	licence issued under the Plan;		
(f) providing for	(f) providing for		
(i) the assessment, charging	(i) the assessment, charging		
and collection of service charges,	and collection of service charges,		
licence fees or levies, as the case	licence fees or levies, as the case		
may be, from producers from	may be, from producers from		
time to time for the purposes of	time to time for the purposes of		
this Plan,	the Plan, and		
(ii) the taking of legal action to	(ii) the taking of legal action to		
enforce payment of the service	enforce payment of the service		
charges, licence fees or levies, as	charges, licence fees or levies, as		
the case may be, and	the case may be;		
(iii) repealed AR 24/2019 s3;			

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
(g) requiring any person who	(g) requiring any person who		
receives any of the regulated	receives any of the regulated		
product from a producer	product from a producer		
(i) to deduct from the money	(i) to deduct from the money		
payable to the producer any	payable to the producer any		
service charges, licence fees or	service charges, licence fees or		
levies, as the case may be,	levies, as the case may be,		
payable by the producer to the	payable by the producer to the		
Commission, and	commission, and		
(ii) to forward the amount	(ii) to forward the amount		
deducted to the Commission;	deducted to the commission;		
(h) providing for the use of any	(h) providing for the use of any		
class of service charges, licence	class of service charges, licence		
fees, levies or other money	fees, levies or other money		
payable to or received by the	payable to or received by the		
Commission for the purpose of	commission for the purpose of		
paying its expenses and	paying its expenses and		
administering this Plan and the	administering the Plan and the		
regulations made by the	regulations made by the		
Commission;	commission;		
(i) providing for the payment to a	(i) providing for the payment to a		
Canada Board of money that is	Canada Board of money that is		
payable under a Canada Act.	payable under a Canada Act.		
Financing of the Plan	Financing the Plan		Maintained in Plan Regulation,
11 In accordance with the	10(1) The Plan is to be financed		the language has been
regulations,	in accordance with the		streamlined.
(a) the Plan is to be financed	regulations by		
(i) by the charging and	(a) the charging and collection of		
collection of service charges from	service charges from producers,		
producers, and	and		

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
 (ii) by any other money payable to or received or accrued by the Commission; (b) the Commission may, from time to time, change the amount of the service charges, but the change is not effective until it has been approved by a majority of the producers present at an annual Commission meeting or a special Commission meeting. 	 (b) any other money payable to or received or accrued by the commission. (2) The commission, from time to time, in accordance with the regulations, may change the amount of the service charges, but the change is not effective until it has been approved by a majority of the producers present at an annual commission meeting or a special commission meeting. 		
Remuneration 12 The members of the Commission are to receive remuneration and expenses as the Commission considers proper.		3. Remuneration The directors of the Board are to receive remuneration and expenses as the Board deems appropriate.	Moved to bylaws, the language has been streamlined.
Auditor 13 The auditor for the Commission is to be appointed at each annual meeting.		4. Auditor The auditor for the Commission is to be appointed at each annual meeting.	Moved to bylaws.
Indemnification fund 14 The Commission shall not establish and operate a fund under section 34 or 35 of the Act.	Indemnification fund 11 The commission shall not establish or operate any fund under section 34 or 35 of the Act.		Maintained in Plan Regulation.
Honorary memberships 15 The Commission may establish non-voting associate, patron, industry, affiliate or honorary		5. Honorary Memberships The Commission may establish non-voting associate, patron, industry, affiliate or honorary	Moved to bylaws, the language has been streamlined.

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	Regulation	Bylaws	
memberships under this Plan to		memberships under the Plan,	
provide interested individuals or		and these bylaws, to provide	
organizations the opportunity to		interested individuals or	
contribute to the activities and		organizations the opportunity to	
goals of the Commission.		contribute to the activities and	
		goals of the Commission.	
General rights of producers		6. General Rights of Producers	Moved to bylaws, the language
16 In accordance with and		6(1) In accordance with and	has been streamlined.
subject to this Plan, a licensed		subject to the Plan and these	
producer is entitled, as a matter		bylaws, a licensed producer is	6(2) added to clarify that a
of right,		entitled, as a matter of right,	person can vote once on each
(a) to attend annual meetings		a) To attend all area meetings,	matter.
and special meetings;		annual and special meetings;	
(b) to make representations on		b) To make representations on	
any matter pertaining to this		any matter pertaining to the	
Plan, the Commission and the		Plan, these bylaws, the	
members of the Commission;		Commission and the Board;	
(c) to vote on any matter under		c) To vote on any matter under	
this Plan;		the Plan and these bylaws;	
(d) to vote in elections held		d) To vote in elections held under	
under this Plan;		the Plan and these bylaws;	
(e) to hold office under this Plan;		e) To hold office under the Plan	
(f) to vote in any plebiscites of		and these bylaws;	
producers held under the Act in		f) To vote in any plebiscites of	
respect of this Plan.		producers held under the Act in	
		respect of the Plan and these	
		bylaws.	
		6(2) A person who is eligible to	
		vote, or who holds a proxy, may	
		vote once on each matter	
		notwithstanding that the person	
		may manage, operate, own, lease	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
		or hold equity in one or more	
		operations licensed separately	
		with the commission.	
Producers who are individuals		7. Producers Who are Individuals	Moved to bylaws, the language
17 (1) Where a licensed producer		7(1) Where a licensed producer is	has been streamlined.
is an individual, that individual		an individual, that individual may,	
may, subject to this Plan, exercise		subject to the Plan, and these	
the rights referred to in section		bylaws, exercise the rights	
16.		referred to in section 6.	
(2) Subject to subsections (3), (4)		(2) Subject to subsections (3), (4)	
and (5), an individual who is a		and (5), an individual who is a	
producer is not to cast a vote		producer is not to cast a vote	
under this Plan unless that		under the Plan and these bylaws,	
person's name appears on the		unless that person's name	
current list of licensed producers.		appears on the current list of	
(3) If an individual is not on the		licensed producers.	
list of licensed producers, that		(3) If an individual is not on the	
individual is not to cast a vote in		list of licensed producers, that	
an election unless the individual		individual is not to cast a vote in	
(a) has signed a declaration		an election unless the individual,	
stating that the individual		a) has signed a declaration	
(i) is or qualifies as a licensed		stating that the individual	
producer under this Plan, and		(i) is or qualifies as a licensed	
(ii) resides within the area for		producer under the Plan and	
which the election is to be held,		these bylaws,	
and		and	
(b) files the declaration signed		(ii) resides within the area for	
under clause (a) with the		which the election is to be held,	
returning officer or deputy		and	
returning officer at the meeting		b) files the declaration signed	
at which the election is to be held		under clause (a) with the	
		returning office or deputy	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
but prior to the casting of the		returning officer at the meeting	
ballots.		at which the election is to be held	
(4) An individual who is eligible to		but prior to the casting of the	
vote may appoint any person as a		ballots.	
proxy to vote on the individual's		(4) An individual who is eligible to	
behalf if the individual appointing		vote, may appoint any person as	
the proxy deposits with the		a proxy to vote on the	
returning officer at least 2 days		individual's behalf, if the	
before the day on which the vote		individual appointing the proxy	
is to be held the document under		deposits with the returning	
which the proxy is appointed.		officer at least 2 days before the	
(5) A person may not act as a		day on which the vote is to be	
proxy for more than one		held the document under which	
individual in respect of the same		the proxy is appointed.	
vote.		(5) A person may not act as a	
		proxy for more than one	
		individual in respect of the same	
		vote.	
Producers that are not		8. Producers that are not	Moved to bylaws, the language
individuals		Individuals	has been streamlined.
18(1) Where a licensed producer		8(1) Where a licensed producer is	
is not an individual, that		not an individual, that producer	
producer may, only in		may, only in accordance with this	
accordance with this section,		section, exercise the rights	
exercise the rights referred to in		referred to in Section 6.	
section 16.		(2) A licensed producer to which	
(2) A licensed producer to which		this section applies must appoint	
this section applies must appoint		an individual to be the	
an individual to be the		representative of the licensed	
representative of the licensed		producer.	
producer.			

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
(3) A representative appointed by		(3) A representative appointed by	
a licensed producer under this		a licensed producer under this	
section is to		section is to:	
(a) represent that licensed		a) represent the licensed	
producer in any matter		producer in any matter	
pertaining to this Plan,		pertaining to the Plan, or these	
(b) attend meetings on behalf of		bylaws,	
this licensed producer, and		b) attend meetings on behalf of	
(c) vote and hold office, as the		the licensed producer, and	
case may be, on behalf of the		c) vote and hold office, as the	
licensed producer.		case may be, on behalf of the	
(4) If a licensed producer is		licensed producer.	
(a) a corporation, it must appoint		(4) If a licensed producer is	
an individual who is a director,		a) a corporation, it must	
shareholder, member, officer or		appoint an individual who is a	
employee of the corporation as		director, shareholder, member	
its representative,		officer or employee of the	
(b) a partnership, it must appoint		corporation as its representative,	
an individual who is a partner or		b) a partnership, it must	
employee of the partnership as		appoint an individual who is a	
its representative, or		partner or employee of the	
(c) an organization, other than a		partnership as its representative,	
corporation or a partnership, it		or	
must appoint an individual who is		c) an organization other than a	
a member, officer or employee of		corporation or a partnership, it	
the organization as its		must appoint an individual who is	
representative.		a member, officer or employee of	
(5) An appointment of a		the organization as its	
representative under this section		representative.	
is to be		(5) An appointment of a	
(a) in writing, and		representative under this section	
		is to be	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
(b) in the case where a vote is to		a) in writing, and	
be taken at a meeting, filed with		b) in the case where a vote is to	
the returning officer prior to the		be taken at a meeting, filed with	
calling to order of the meeting at		the returning office prior to the	
which a vote is to take place.		calling to order of the meeting at	
(6) A representative of a licensed		which a vote is to take place.	
producer shall not cast a vote		(6) A representative of a licensed	
under this Plan unless the		producer shall not cast a vote	
individual who is the		under the Plan, or these bylaws,	
representative		unless the individual, who is the	
(a) presents a document signed		representative	
by the licensed producer		a) presents a document signed	
indicating the name of the		by the licensed producer	
person who may vote for the		indicating the name of the	
licensed producer, or		person who may vote for the	
(b) makes a statutory declaration		licensed producer, or	
stating that the individual		b) makes a statutory	
(i) is a representative of the		declaration stating that the	
licensed producer, and		individual	
(ii) has not previously voted in		(i) is a representative of the	
the election or on the matter in		licensed producer, and	
respect of which the individual		(ii) has not previously voted	
wishes to cast a vote.		in the election or on the matter	
(7) A statutory declaration made		in respect of which the individual	
under subsection (6)(b) must be		wishes to cast a vote.	
made in writing before the		(7) A statutory declaration made	
returning officer prior to the		under subsection (6)(b) must be	
votes' being cast.		made in writing before the	
(8) An individual cannot at any		returning officer prior to the	
one time be a representative		votes being cast.	
under this section for more than		(8) An individual cannot, at any	
one licensed producer.		one time, be a representative	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
(9) A representative shall not		under this section for more than	
vote or hold office before that		one licensed producer.	
person's appointment is filed in		(9) A representative shall not	
accordance with subsection (5).		vote or hold office before that	
(10) A representative of a		person's appointment is filed in	
licensed producer who is eligible		accordance with subsection (5).	
to vote may appoint any person		(10) A representative of a	
as a proxy to vote on the		licensed producer who is eligible	
representative's behalf if the		to vote may appoint any person	
representative appointing the		as a proxy to vote on the	
proxy deposits with the returning		representative's behalf if the	
officer at least 2 days before the		representative appointing the	
day on which the vote is to be		proxy deposits, with the	
held the document under which		returning officer, at least 2 days	
the proxy is appointed.		before the day on which the vote	
(11) A person may not act as a		is to be held, the document	
proxy for more than one		under which the proxy is	
representative in respect of the		appointed.	
same vote.		(11) A person may not act as a	
		proxy for more than one	
		representative in respect of the	
		same vote.	
Members of the Commission	Board of directors		Maintained in Plan Regulation,
19 The Commission is to consist	13 The commission shall have a		the language has been
of 7 members as follows:	board of directors consisting of 7		streamlined.
(a) 2 members elected from	directors as follows:		
Alberta North;	(a) 2 directors from Alberta		
(b) 2 members elected from	North, elected or appointed in		
Alberta South;	accordance with the Plan and the		
(c) 3 members elected at large.	bylaws;		
	(b) 2 directors from Alberta		
	South, elected or appointed in		

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
	accordance with the Plan and the		
	bylaws;		
	(c) 3 directors at large, elected or		
	appointed in accordance with the		
	Plan and the bylaws.		
Chair		9.Chair of the Board	Moved to bylaws, the language
20 (1) The members of the		9 (1) The directors of the Board,	has been streamlined.
Commission, at their first		at the first meeting following the	
meeting following the election of		election of directors to the	
members to the Commission, are		Board, are to elect from among	
to elect from the members of the		themselves:	
Commission		(a) A chair of the Board, and	
(a) a chair of the Commission,		(b) A vice-chair of the Board	
and		(2) Where the chair's position	
(b) a vice-chair of the		becomes vacant, the vice-chair is	
Commission.		to assume the position of chair	
(2) Where the chair's position		and the directors are to elect	
becomes vacant, the vice-chair is		from amongst themselves one	
to assume the position of chair		director to serve as vice-chair.	
and the members of the		(3) During their term of office,	
Commission are to elect from		the chair and vice-chair serve at	
among themselves one member		the pleasure of the directors of	
to serve as		the Board.	
vice-chair.			
(3) During their term of office,			
the chair and vice-chair serve at			
the pleasure of the members of			
the Commission.			
Commission meetings		10. Board Meetings	Moved to bylaws, the language
21 The Commission may, at the		The Board may, at the call of the	has been streamlined.
call of the chair or of not less		chair or of not less than 3	
than 3 members, conduct a			

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
meeting of the members of the		members, conduct a meeting of	
Commission.		the directors.	
Quorum re meeting of members		11. Quorum re: Meeting of the	Moved to bylaws, the language
22 The quorum necessary for the		Board	has been streamlined.
conduct of business at a meeting		The quorum necessary for the	
of the members of the		conduct of business at a meeting	
Commission is a majority of the		of the Board is a majority of the	
Commission members then		directors then holding office.	
holding office.		_	
Term of office		12. Terms of Office	Moved to bylaws, the language
23(1) Subject to subsection (2),		12 (1) Subject to subsection (2),	has been streamlined.
each member of the Commission		each director of the Board is to	
is to be elected for a term of 3		be elected for a term of 3 years.	Section 37 (Service for unexpired
years.		(2) The term of office of a	term of office) in the Plan
(2) The term of office of a		director,	Regulation is now subsection
member,		a) if elected at the annual	12(5) under Terms of Office in
(a) if elected at the annual		meeting, commences on the	the bylaws.
meeting, commences on the		conclusion of the annual meeting	
conclusion of the annual meeting		at which the director was	
at which the member was		elected, or	
elected, or		b) if elected at an area meeting	
(b) if elected at an area meeting		commences on the conclusion of	
commences on the conclusion of		the next following annual	
the next following annual		meeting	
meeting and expires on the		and expires on the conclusion of	
conclusion of the annual meeting		the annual meeting that takes	
that takes place in the year that		place in the year that director's	
member's term of office is to		term of office is to expire.	
expire.		(3) A person shall not serve as a	
(3) A person shall not serve as a		director of the Board for more	
member of the Commission for		than 2 consecutive terms.	
more than 2 consecutive terms.			

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
(4) Notwithstanding subsection		(4) Notwithstanding subsection	
(3), where a person has served as		(3), where a person has served as	
a member of the Commission for		a director of the Board for 2	
2 consecutive terms, that person		consecutive terms, that person is	
is once again eligible to serve as a		once again eligible to serve as a	
member of the Commission once		director of the Board once 3	
3 years have expired from the		years have expired from the	
conclusion of that person's last		conclusion of that person's last	
term of office.		term of office.	
		(5) If a person fills a vacancy for	
		an unexpired term of office that	
		is for a period of less than 18	
		months, that term of office that	
		is served by that person is not to	
		be considered as a term of office	
		for the purposes of subsection	
		(2).	
Term of office re national or		13. Term of Office re: National or	Moved to bylaws, the language
industry group or association		Industry group or Association	has been streamlined.
23.1 (1) Notwithstanding section		13 (1) Notwithstanding Section	
23(3), a member, with the		12(3), a director, with approval of	
approval of Council, may be		Council, may be elected to serve	
elected to serve an additional		an additional consecutive term in	
consecutive term in order to		order to enable the Commission	
enable the Commission to fulfil		to fulfil its commitments to a	
its commitments to a national or		national or industry group or	
industry group or association of		association of which the	
which the Commission is a		Commission is a member.	
member.		(2) Notwithstanding section	
(2) Notwithstanding section		12(4), where a person is	
23(4), where a person is		permitted under subsection (1)	
permitted under subsection (1)		to serve as a director of the	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
to serve as a member of the		Board for an additional term, that	
Commission for an additional		person	
term, that person		a) is not eligible to serve as a	
(a) is not eligible to serve as a		director of the Board for more	
member of the Commission for		than 9 consecutive years, and	
more than 9 consecutive years,		b) is once again eligible to serve	
and		as a director of the Board once 3	
(b) is once again eligible to serve		years have expired from the	
as a member of the Commission		conclusion of that person's last	
once 3 years have expired from		term of office.	
the conclusion of that person's			
last term of office.			
Resignation and removal from		14. Resignation and Removal	Moved to bylaws, the language
office		from Office	has been streamlined.
24(1) A person who resigns as a		14 (1) A person who resigns as a	
member of the Commission		director of the Board ceases to	24(5) is covered in the Vacancies
ceases to be a member of the		be a director of the Board on the	section in Plan Regulation so it's
Commission on the day that the		day that the resignation takes	no longer required in this section
resignation takes effect.		effect.	of the Plan regulation or bylaws.
(2) A member of the Commission		(2) A director of the Board who	
who ceases to be a licensed		ceases to be a licensed producer	Current section 24(3) of the Plan
producer or a representative of a		or a representative of a licensed	Regulation will move to section
licensed producer during that		producer during that person's	15 (Removal from Office) in the
person's term of office, ceases to		term of office, ceases to be a	Bylaws.
be a member of the Commission		director of the Board effective on	
effective on the day the producer		the day the producer ceases to	
ceases to be a licensed producer		be a licensed producer unless	
unless that person sooner resigns		that person sooner resigns as a	
as a member.		director.	
(3) Where a member of the		(3) When a vacancy occurs under	
Commission is absent from 3		this section the Board may	
consecutive meetings of the		appoint a licensed producer or	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
Commission, without providing	Regulation	Bylaws representative of a licensed	
reasons that the Commission		producer to fill the position in	
considers satisfactory, that		accordance with section 17 of the	
person's position on the		Plan Regulation.	
Commission as a member is			
deemed to be vacant at the			
conclusion of the 3rd consecutive			
meeting from which that person			
is absent.			
(4) When a vacancy occurs on the			
Commission under this section,			
the Commission may appoint,			
with the approval of the Council,			
a licensed producer or a			
representative of a licensed			
producer to fill the position from			
among the persons who are			
eligible to be elected to that			
position.			
(5) A person appointed under			
subsection (4) is to serve for that			
portion of the term that runs to			
the next annual meeting			
following the person's			
appointment, at which time			
(a) the person ceases to hold			
office, and			
(b) an election is to be held to fill			
the office for the unexpired			
portion, if any, of the term of the			
vacant position.			

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
Removal from office		15. Removal from Office	Moved to bylaws, the language
24.1 The Commission may, on a		15 (1) The Board may, at a board	has been streamlined.
motion passed by 2/3 of the		meeting, on a motion passed by	
Commission members currently		2/3 of the directors currently in	Current section 24(3) of the Plan
in office at a Commission		office, remove a director from	Regulation will move to section
meeting, remove a member from		office if the director fails to abide	15 (Removal from Office) in the
office if the member fails to		by any of the Board's policies,	Bylaws.
abide by any of the Commission's		administrative directives or	
policies, administrative directives		orders.	Bylaws section 15(3) clarifies how
or orders.		(2) Where a director of the Board	do address a vacancy under this
		is absent from 3 consecutive	section.
		meetings of the Board, without	
		providing reasons that the Board	
		considers satisfactory, that	
		person's position is deemed to be	
		vacant at the conclusion of the	
		3rd consecutive meeting from	
		which that person is absent.	
		(3) When a vacancy occurs under	
		this section the Board may	
		appoint a licensed producer or	
		representative of a licensed	
		producer to fill the position in	
		accordance with section 17 of the	
		Plan regulation	
Annual meetings		16. Annual Meetings	Moved to bylaws, the language
25 An annual meeting of the		16 (1) An annual meeting of the	has been streamlined.
licensed producers is to be held		licensed producers is to be held	
(a) once in each year, and		by means as determined	Added the ability for the meeting
(b) within 15 months following		appropriate by the Board (i.e.,	to be held by any means as
the date of the commencement		virtual if deemed necessary)	determined appropriate by the
of the last annual meeting.		a) Once in each in year, and	board, including virtually.

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
		b) Within 15 months following	
		the date of the commencement	
		of the last annual meeting.	
Special meetings		17. Special Meetings	Moved to bylaws, the language
26(1) A special meeting of the		17(1) A special meeting of	has been streamlined.
licensed producers		licensed producers	
(a) may be called by the Council,		(a) May be called by the Council,	
(b) may be called by the		(b) May be called by the Board,	
Commission, and		and	
(c) must be called by the		(c) Must be called by the Board	
Commission on the written		on the written request of not less	
request of not less than 10% of		than 10% of the licensed	
the licensed producers.		producers.	
Area meetings		18. Area Meetings	Moved to bylaws, the language
27 (1) The Commission is to		18 (1) The Board is to organize	has been streamlined.
organize and finance one area		and finance 2 area meetings	
meeting in each area within a		(spring and fall) within each area,	Clarifies that the Board organizes
reasonable period of time prior		with the fall meeting being within	and finances 2 area meetings per
to the annual meeting of licensed		a reasonable period of time prior	year within each area.
producers.		to the annual meeting of licensed	
(2) The purpose of an area		producers.	
meeting, when required, is to		(2) The purpose of an area	
elect a member of the		meeting, when required, is to	
Commission to represent the		elect a member of the	
area.		Commission to represent an	
		area.	
Notification of meetings		19. Notification of Meetings	Moved to bylaws, the language
28 (1) The Commission is to set		19 (1) The Board is to set the	has been streamlined.
the time, place and date of		time, place and date of annual	
annual meetings, special		meetings, special meetings and	
meetings and area meetings.		area meetings.	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
(2) Not less than 15 days prior to		(2) Not less than 15 days prior to	
the day on which the meeting		the day on which a meeting	
referred to in subsection (1) is to		referred to in subsection (1) is to	
take place, the Commission is to		take place, the Commission is to	
send to all licensed producers		send to all licensed producers	
who are entitled to vote on any		who are entitled to vote on any	
matter at that meeting a written		matter at that meeting a	
notice setting out the following:		written/electronic notice setting	
(a) the time, place and date		out the following:	
and purpose of the meeting;		a) The time, place, date and	
(b) if special or extraordinary		purpose of the meeting;	
business is to be transacted at		b) If special or extraordinary	
the meeting, the nature of the		business is to be transacted at	
business;		the meeting, the nature of the	
(c) if the meeting is an area		business;	
meeting, the names of the		c) If the meeting is an area	
persons nominated up to the		meeting, the names of the	
date of the notice who have been		persons nominated up to the	
nominated to stand for election		date of the notice, who have	
as members of the Commission		been nominated to stand for	
to represent the area.		election as directors to represent	
(d) repealed AR 23/2009 s5.		the area.	
(3) Any notice under subsection		(3) Any notice under subsection	
(2) may be conveyed to the		(2) may be conveyed to the	
licensed producer		licensed producer	
(a) by ordinary mail sent to the		a) By ordinary mail sent to the	
licensed producer's last address		licensed producer's last address	
shown on the records of the		shown on the records of the	
Commission, or		Commission, or	
(b) by facsimile, e-mail or other		b) by facsimile, e-mail or other	
electronic means sent to the		electronic means sent to the	
licensed producer's last		licensed producer's last	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
electronic address shown on the		electronic address shown on the	
records of the Commission.		records of the Commission.	
Quorum		20. Quorum	Moved to bylaws.
29 The quorum necessary under		The quorum necessary under the	
this Plan,		Plan and these bylaws,	
(a) in the case of an area		a) In the case of an area meeting,	
meeting, is 10% of the licensed		is 10% of the licensed producers	
producers who reside within the		who reside within the area;	
area;		b) In the case of an annual	
(b) in the case of an annual		meeting or special meeting, is	
meeting or special meeting, is		10% of the licensed producers.	
10% of the licensed producers.			
Eligibility to vote	Eligibility	21. Eligibility to Vote	Some subsections maintained in
30 (1) A person is eligible to vote	16 A person who is eligible to	21 (1) A person is eligible to vote	Plan Regulation and majority of
(a) on any question put to a vote	vote, or who holds a proxy,	a) On any question put to a vote	subsections moved to bylaws, the
at an annual meeting or special	pursuant to the bylaws, may vote	at an annual meeting or special	language has been streamlined.
meeting, or	only once for each director	meeting, or	
(b) in an election for a member,	position open at an election,	b) In an election for a director,	
if the person	notwithstanding that the person	if the person	
(c) is a licensed producer or a	may manage, operate, own, lease	c) Is a licensed producer or a	
representative of a licensed	or hold equity in one or more	representative of a licensed	
producer, or	operations licensed separately	producer, or	
(d) is a person appointed by a	with the commission.	d) Is a person appointed by a	
licensed producer or a		licensed producer or a	
representative of a licensed		representative of a licensed	
producer as a proxy in		producer as a proxy in	
accordance with section 17(4) or		accordance with section 7(4) or	
18(10)		8(10)	
and is present at the annual		And is present at the annual	
meeting or special meeting of the		meeting, special meeting or area	
licensed producers.		meeting of the licensed	
		producers.	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
(2) If a person who is appointed		(2) If a person who is appointed	
as a proxy is also a licensed		as a proxy is also a licensed	
producer or a representative of a		producer or a representative of a	
licensed producer, that person is		licensed producer, that person is	
entitled to vote in that person's		entitled to vote in that person's	
own right as a licensed producer		own right as a licensed producer	
or as a representative of a		or a representative of a licensed	
licensed producer and on behalf		producer and on behalf of the	
of the individual who appointed		individual who appointed that	
that person as a proxy.		person as a proxy.	
(3) A person who is eligible to		(3) Notwithstanding subsection	
vote or who holds a proxy		(1), a person who is eligible to	
pursuant to section 17(4) or		vote in an election for a director	
18(10) may		at large may do so without being	
(a) vote once on each matter,		in attendance at the annual	
and		meeting or special meeting at	
(b) in the case of an election of		which the election is to be held if	
members of the Commission,		that person completes the ballot	
vote for any number of		and forwards that completed	
candidates the person chooses,		ballot by mail or electronic	
not exceeding the number of		means to the Commission's	
members to be elected to the		office.	
Commission,		(4) The returning officer is to	
notwithstanding that the person		consider any ballot forwarded to	
may manage, operate, own, lease		the Commission's office under	
or hold equity in one or more		subsection (3) as being cast in the	
operations that are licensed		election if the ballot is received	
separately with the Commission.		at least 3 days before the annual	
(4) Notwithstanding subsection		meeting or special meeting at	
(1), a person who is eligible to		which the election is to be	
vote in an election for a member		conducted.	
at large may do so without being			

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
in attendance at the annual			
meeting or special meeting at			
which the election is to be held if			
that person completes the ballot			
and forwards that completed			
ballot by mail or by electronic			
means to the Commission's			
office.			
(5) The returning officer is to			
consider any ballot forwarded to			
the Commission's office under			
subsection (4) as being cast in the			
election if the ballot is received in			
the Commission's office at least 3			
days before the annual meeting			
or special meeting at which the			
election is to be conducted.			
Election of area members	Election of area directors	22. Nominations and Election of	Some subsections maintained in
31 (1) Subject to this Plan, the	14 (1) Subject to the Plan and the	Area Directors to the Board	Plan Regulation and some
licensed producers who reside	bylaws, the licensed producers	22 (1) Nominations for candidates	subsections moved to bylaws.
within an area are to elect the	who reside within an area may	to represent an area must be	
members to represent the area.	elect the area directors to	made to the returning officer	Clarifying in the bylaws that the
(2) Nominations for candidates to	represent that area.	pursuant to subsection (2), prior	returning officer is responsible
represent an area must be made	(2) The election of a director to	to or during the area meeting.	for forwarding the results of the
to the returning officer pursuant	represent an area	(2) A nomination for a candidate	election. Removing the
to subsection (3), prior to or	(a) is to be held at an area	to represent an area as a director	requirement for the Chair to vote
during the area meeting.	meeting,	must	in the case of a tie. In the case of
(3) A nomination for a candidate	(b) notwithstanding clause (a),	a) Be in writing or on a form that	a tie vote this is dealt with in
to represent an area as a	may be held at the annual	is provided by or is satisfactory to	bylaws section 24 (Election
member must	meeting if	the Commission,	Results).
		b) Name a licensed producer or a	
		representative of a licensed	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
(a) be in writing or on a form that	(i) no nominations were	producer from the area in	
is provided by or is satisfactory to	received prior to or during the	respect of which the nomination	
the Commission,	area meeting, or	is being made,	
(b) name a licensed producer or a	(ii) the Council has determined	c) Be made only by a licensed	
representative of a licensed	pursuant to section 19 that an	producer who resides within the	
producer from the area in	area election is void,	area in respect of which the	
respect of which the nomination	(c) is to be determined by votes	nomination is being made, and	
is being made,	cast by licensed producers, or on	d) Be accompanied by or have	
(c) be made only by a licensed	behalf of licensed producers,	endorsed on the written	
producer who resides within the	who reside in the area in respect	nomination the consent of the	
area in respect of which the	of which the vote is being held,	person being nominated.	
nomination is being made, and	and	(3) One of the current directors	
(d) be accompanied by or have	(d) is to be conducted by means	of the Board representing the	
endorsed on the written	of a secret ballot.	area must be the chair of the	
nomination the consent of the		area meeting unless that director	
person being nominated.		is a candidate for election as a	
(4) One of the current members		director of the Board	
of the Commission representing		representing the area, in which	
the area must be the chair of the		case a chair is to be elected from	
area meeting unless that		among those licensed producers	
member is a candidate for		present at the meeting who are	
election as a member of the		not candidates in that election.	
Commission representing the		(4) The returning officer must	
area, in which case a chair is to		forward the results of the	
be elected from among those		election held at the area meeting	
licensed producers present at the		to the Board within 5 days from	
meeting who are not candidates		the day that the area meeting	
in that election.		was held, together with a signed	
(5) The chair of the area meeting		statement affirming that the	
(a) is to vote only in the case of a		requirements of this section have	
tie, and		been met.	

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	Regulation	Bylaws	
(b) must forward the results of			
the election held at the area			
meeting to the Commission			
within 5 days from the day that			
the area meeting was held,			
together with a signed statement			
affirming that the requirements			
of this section have been met.			
(6) The election for a member to			
represent an area			
(a) is to be held at the area			
meeting;			
(b) may, notwithstanding clause			
(a), be held at the annual			
meeting if			
(i) no nominations were			
received prior to or during the			
area meeting, or			
(ii) the Council has determined			
pursuant to section 36 that an			
area election is invalid;			
(c) is to be determined by votes			
cast only by persons, or on behalf			
of persons, who reside in the			
area in respect of which the vote			
is being held;			
(d) is to be conducted by means			
of a secret ballot.			
Election of members at large	Election of directors at large	23. Nominations and Election of	Some subsections maintained in
32 (1) Three members of the	15 At each annual meeting of the	Directors at Large to the Board	Plan Regulation and some
Commission are to be elected by	commission, at least one director	23(1) Nominations for Director at	subsections moved to bylaws.
		Large positions are to be received	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
means of a secret ballot as	at large is to be elected by means	by the returning officer from the	
members at large,	of a secret ballot.	floor of each area meeting in	
(a) one of whom is to be elected		accordance with subsection (2) or	
at each annual meeting, and		at the annual meeting of the	
(b) for whom nominations are to		Commission.	
be received by the Commission		(2) A person may be nominated	
from the floor of each area		for election as a director at large	
meeting in accordance with		of the Board at an area meeting	
subsection (2) or who are		or at an annual meeting if;	
nominated at the annual meeting		a) that person is a licensed	
of the Commission.		producer or a representative of a	
(2) A person may be nominated		licensed producer, and	
for election as a member at large		b) that person has consented to	
of the Commission at an area		be nominated.	
meeting if			
(a) that person is a licensed			
producer or a representative of a			
licensed producer, and			
(b) that person has consented to			
be nominated.			
Vacancy	Vacancies		Maintained in Plan Regulation,
32.1 If a vacancy occurs on the	17(1) If a vacancy occurs on the		the language has been
Commission or if no nominations	board, the remaining directors, in		streamlined.
are received to elect a	accordance with the bylaws and		
commission member, the	with the approval of the Council,		Better clarifies that the
Commission may, with the	may appoint an individual from		appointment runs to the next
approval of the Council, appoint	among the licensed producers		annual meeting, at which time an
an individual to fill the position	who are eligible to be elected to		election is to be held for the
from among the eligible	the board to act as a director		unexpired portion of the term.
producers.	until the next annual meeting of		
	producers.		

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
	(2) At the next annual meeting of		
	producers following the		
	appointment of an individual		
	under subsection (1), the position		
	must be filled by holding an		
	election in accordance with the		
	Plan and the bylaws for the		
	unexpired portion of the term.		
Election results		24. Election Results	Maintained in Plan Regulation,
33 (1) In the case of an election		24 (1) In the case of an election	the language has been
held under section 31 or 32,		held under section 22 and 23	streamlined.
(a) the candidate receiving the		"Area" and "At Large" Board	
largest number of votes in the		Members	
election is the person who is		a) The candidate receiving the	
elected to the position for which		largest number of votes in the	
the election is held, but		election is the person who is	
(b) if only one person is		elected to the position for which	
nominated for the position that is		the election is held, but	
to be filled, that person is		b) If only one person is	
deemed to have been elected to		nominated for the position that is	
the position.		to be filled, that person is	
(2) In the case of an election held		deemed to have been elected to	
under section 32, if a tie vote		the position.	
occurs among the candidates		(2) In the case of an election held	
receiving the most votes, the		under section 22 and 23, if a tie	
returning officer, immediately		vote occurs among the	
following the tabulation of the		candidates receiving the most	
votes, is to conduct a draw of		votes, the returning officer,	
names of the tied candidates and		immediately following the	
the candidate whose name is		tabulation of the votes, is to	
drawn is deemed to have been		conduct a draw of names of the	
elected.		tied candidates and the	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
		candidate whose name is drawn	
		is deemed to have been elected.	
Returning officer		25. Returning Officer	Moved to bylaws, the language
34(1) The Commission must		25(1) The Board must appoint a	has been streamlined.
appoint a returning officer for		returning officer for the purpose	
the purpose of and in connection		of and in connection with any	
with any election or vote taken		election or vote taken under the	
under this Plan.		Plan, and these bylaws.	
(2) The returning officer is to		(2) The returning officer is to	
(a) compile and maintain a voters		a) compile and maintain a voters	
list of persons who are entitled to		list of persons who are entitled to	
vote under this Plan;		vote under the Plan and these	
(b) ensure that each person who		bylaws,	
votes in an election is on the		b) ensure that each person who	
voters list, has signed a		votes is on the voters list, has	
declaration pursuant to section		signed a declaration pursuant to	
17 or 18 or has been appointed		section 7 or 8 or has been	
as a proxy pursuant to section		appointed as a proxy pursuant to	
17(4) or 18(10);		section 7(4) of 8(10);	
(c) permit scrutiny by a scrutineer		c) permit scrutiny by a scrutineer	
of all the actions of the returning		of all the actions of the returning	
officer in respect of the conduct		officer in respect of the conduct	
of an election held under this		of an election held under the	
Plan.		Plan or these bylaws.	
		(3) Unless otherwise directed by	
(3) Unless otherwise directed by		the Council, no person shall	
the Council, no person shall		destroy and records or ballots in	
destroy any records or ballots in		respect of a vote or election held	
respect of a vote or election held		under the Plan or these bylaws	
under this Plan until 90 days have		until 90 days have elapsed from	
elapsed from the day on which		the day on which the vote was	
the vote was taken.		taken.	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
Result of invalid election	Insufficient attendance		Maintained in Plan Regulation,
35 (1) If an election is held under	18 (1) If an election is held under		the language has been
this Plan and there is in	the Plan and the bylaws and		streamlined.
attendance at the meeting at	there is in attendance at the		
which the election is held an	meeting at which the election is		
insufficient number of persons	held an insufficient number of		
who are eligible to vote at the	licensed producers who are		
election,	eligible to vote at the election,		
(a) the election is void, and	(a) the election is void, and		
(b) the position for which the	(b) the position for which the		
election was held is vacant.	election was held is vacant.		
(2) Notwithstanding that a	(2) Notwithstanding that a		
position is vacant under	position is vacant under		
subsection (1), the term of office	subsection (1), the term of office		
of the position is deemed to have	of the position is deemed to have		
commenced as if a person had	commenced as if an individual		
been elected to the position.	had been elected to the position.		
(3) If a position is vacant under	(3) If a position is vacant under		
subsection (1), the Commission	subsection (1), the commission,		
may, with the approval of the	in accordance with the bylaws		
Council, fill the position by	and with the approval of the		
appointing, from persons eligible	Council, may fill the position by		
to be elected to that position, a	appointing an individual to fill		
person to fill that position.	that position, from among the		
(4) A person appointed under	licensed producers who are		
subsection (3) is to serve for that	eligible to be elected to that		
portion of the term that runs to	position.		
the next annual meeting	(4) An individual appointed		
following the person's	under subsection (3) is to serve		
appointment, at which time	for that portion of the term that		
(a) the person ceases to hold	runs to the next annual meeting		
office, and			

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
(b) an election shall be held to fill	following the individual's		
the office for the unexpired	appointment, at which time		
portion, if any, of the term of the	(a) the individual ceases to		
vacant position.	hold office, and		
	(b) an election shall be held to		
	fill the office for the unexpired		
	portion, if any, of the term of the		
	vacant position.		
Controverted election	Election irregularities		Maintained in Plan Regulation,
36 (1) If a licensed producer	19 (1) If a licensed producer		the language has been
(a) questions	questions		streamlined and aligned with
(i) the eligibility of a candidate,	(a) the eligibility of a candidate,		other Plan Regulations.
(ii) the eligibility of a voter,	(b) the eligibility of a voter,		
(iii) any matter relating to a	(c) any matter relating to a		
ballot or the tabulation of ballots,	ballot or the tabulation of ballots,		
or	or		
(iv) any irregularity with respect	(d) any other irregularity with		
to the conduct of an election,	respect to the conduct of an		
and	election,		
(b) seeks to have the election	that licensed producer, not later		
declared invalid and the position	than 30 days after the day of the		
declared vacant,	election, may apply in writing to		
that person must, not later than	the Council to have the election		
30 days after the day on which	declared void and the position		
the election was held, apply in	declared vacant.		
writing to the Council to have the	(2) If the Council has not		
election declared invalid and the	received an application under		
position declared vacant.	subsection (1) within the 30 day		
(2) If, within the 30-day period	period referred to in subsection		
referred to in subsection (1), the	(1), an individual elected at that		
Council has not received an	election is deemed to be duly		
application under subsection (1),	elected.		

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
a person elected at that election	(3) The Council shall not consider		
is deemed to be duly elected.	an application under subsection		
(3) On receipt of an application	(1) that is not received by the		
under subsection (1), the Council	Council within the 30 day period		
must consider the matter and	after the day of the election.		
may	(4) On receipt of an application		
(a) declare the election to be	under subsection (1), the Council		
proper and the position filled if,	must consider the matter and		
in the opinion of the Council,	may		
there is no basis for the	(a) declare the election to be		
application,	proper and the position filled if,		
(b) declare the election to be	in the opinion of the Council,		
proper and the position filled,	there is no basis for the		
notwithstanding that there is a	application,		
basis for the application if, in the	(b) declare the election to be		
opinion of the Council,	proper and the position filled if,		
(i) the basis for application did	in the opinion of the Council,		
not materially affect the result of	(i) the basis for application		
the election, and	did not materially affect the		
(ii) the election was conducted	result of the election, and		
substantially in accordance with	(ii) the election was		
this Plan and the Act,	conducted substantially in		
or	accordance with the Plan, the		
(c) declare the election to be void	bylaws and the Act,		
and the position vacant if, in the	or		
opinion of the Council, there is a	(c) declare the election to be		
basis for the application and the	void and the position vacant if, in		
basis is sufficient to, or did, affect	the opinion of the Council, there		
the result of the election.	is a basis for the application and		
(4) Notwithstanding that an	the basis is sufficient to or did		
election is declared void and a	affect the result of the election.		
position is declared vacant under			

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
subsection (3)(c), the term of	(5) If the Council declares an		
office of the position declared	election to be void and the		
vacant is nevertheless deemed to	position vacant, the Council may		
have commenced on the day that	(a) order that, within the time		
the term of office would have	that the Council considers		
commenced if the election had	proper, a special commission		
not been voided.	meeting be held and an election		
(5) If the Council declares an	conducted to fill the vacant		
election to be void and the	position for the unexpired		
position vacant, the Council may	portion of the term, or		
(a) order that, within the time	(b) notify the commission that		
that the Council considers	the position is vacant and that		
proper, a special meeting be held	the commission may appoint an		
and an election be conducted to	individual to fill the vacant		
fill the vacant position, or	position in accordance with		
(b) appoint, from among the	section 17.		
persons who are eligible to be	(6) Notwithstanding that an		
elected to the position, a person	election is declared void and a		
to fill the vacant position.	position is declared vacant under		
(6) A person elected under	subsection (4)(c), the bylaws may		
subsection (5)(a) is to hold office	provide that the term of office of		
for the unexpired portion of the	the position is deemed to have		
term.	commenced as if an individual		
(7) A person appointed under	had been elected to the position.		
subsection (5)(b) is to serve for			
that portion of the term that runs			
to the next annual meeting			
following that person's			
appointment, at which time			
(a) that person ceases to hold			
office, and			

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
(b) an election is to be held to fill			
the unexpired portion, if any, of			
the term.			
Service for unexpired term of		12. Terms of Office	Moved to bylaws as a provision
office			under Term of Office section, the
37 When, pursuant to section 24,		(5) If a person fills a vacancy for	language has been streamlined.
35 or 36, a person fills a vacancy		an unexpired term of office that	
for an unexpired term of office		is for a period of less than 18	
that is for a period of less than 18		months, that term of office that	
months, that unexpired term of		is served by that person is not to	
office that is served by that		be considered as a term of office	
person is not to be considered as		for the purposes of subsection	
a term of office for the purposes		(2).	
of section 23(2).			
38 Repealed AR 7/2014 s6.			
Review	Review		Maintained in Plan Regulation
39 In compliance with the	20 In compliance with the		with updated review date.
ongoing regulatory review	ongoing regulatory review		
initiative, this Regulation must be	initiative, this Regulation must be		
reviewed on or before March 31,	reviewed on or before March 31,		
2024.	2031.		
	Transitional		In the Plan, this clarifies that
	21 Where an individual is a		directors remain in place upon
	director of the commission		the coming into effect of this
	immediately before the coming		regulation.
	into force of this Regulation, that		
	individual continues to be a		
	director until the expiry of that		
	individual's term of office in		
	accordance with the Plan and the		
	bylaws unless		

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New Bylaws	Information or Rationale
	Regulation(a) the individual is removed or resigns from office, or(b) the bylaws reduce the term of office for that position.	Dyidws	
Repeal 40 The Potato Growers of Alberta Plan Regulation (AR 274/97) is repealed.	Repeal 22 The Potato Growers of Alberta Plan Regulation (AR 291/2002) is repealed.		Maintained in Plan Regulation with updated repealed regulation.
		 26. Bylaw Amendments, Repeal or Replacement 26(1) The repeal or amendment or a new bylaw relating to the requirements of the Act may be initiated by; a) A motion of the Board, or b) Upon the request of Council (2) Subject to the requirements of the Act, these bylaws may be amended or repealed by the Board upon a 2/3 majority vote of producers during an annual general meeting or special general meeting or through whatever means determined appropriate by the Board. (3) A bylaw, including an amendment or repeal, is not effective until it is approved by Council. (4) Notwithstanding subsection (2), a bylaw can be changed by the Board, without materially 	New Section in bylaws to support the administration and management of the bylaws.

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	Regulation	Bylaws	
		affecting the bylaw in principle or	
		substance, under the following	
		conditions:	
		a) to correct clerical, technical,	
		grammatical or typographical	
		errors in a bylaw,	
		b) to bring out more clearly what	
		is considered to be the meaning	
		of a bylaw, or	
		c) improve the expressing of the	
		law under the Act or associated	
		regulations without requiring	
		approval form producers or	
		Council.	
		(5) The <i>Regulations Act</i> does not	
		apply to these bylaws.	
		(6) As soon as the bylaws have	
		been approved by Council, the	
		Commission must provide a copy	
		of these bylaws, including any	
		amendments to these bylaws, to	
		producers, processors, and any	
		person regulated by the	
		Commission, in any manner the	
		Commission considers	
		appropriate.	
		27. Conflicts	New Section in bylaws to support
		These bylaws form a part of the	the administration and
		Plan to the extent that they do	management of the bylaws.
		not conflict with the Act, the Plan	
		and the Commission Regulation.	
		If there is a conflict between	

Current Plan Regulation	Proposed Wording of New Plan	Proposed Wording of New	Information or Rationale
	Regulation	Bylaws	
		these bylaws, the Act, or any	
		regulation made under the Act,	
		the Act and the regulations	
		prevail.	
		28. Review	New Section in bylaws to support
		In compliance with the ongoing	the administration and
		review cycle of regulations, these	management of the bylaws.
		bylaws must be reviewed on or	
		before March 31st,	
		ENACTED by the Commission	
		Board this day of, <mark>2024.</mark>	
		, Chair	
		of the Potato Growers of Alberta	
		Board	