

National Food Policy Council of Canada Act

An Act to establish the National Food Policy Council of Canada.
Her Majesty, by and with the advice and consent of the Senate and House of Commons of
Canada, enacts as follows:

SHORT TITLE

Short title

1. This Act may be cited as the *National Food Policy Council of Canada Act*.

INTERPRETATION

Definitions

2. (1) In this Act,

“Council”

“Council” means the National Food Policy Council of Canada established by section 3;

“Chairperson”

“Chairperson” means the Chairperson of the Council appointed pursuant to subsection 6(1);

“Executive Director”

“Executive director” means the Executive Director of the Council appointed pursuant to section 10;

“member”

“member” means a member of the Council appointed pursuant to subsection 6(2);

“Minister”

“Minister” means such member of the Queen’s Privy Council for Canada as may be designated by the Governor in Council as the Minister for the purposes of this Act.

COUNCIL ESTABLISHED

Council established

3. There is hereby established a corporation, to be called the National Food Policy Council of Canada.

OBJECTS, POWERS AND CAPACITY OF COUNCIL

Objects of Council

4. (1) The objects of the Council are to provide sound advice and research to the Government of Canada on food policy issues in the interrelated fields of agriculture, health, education, social policy, economy, labour force development, environment, transport, fisheries and any further field deemed applicable, and to ensure the implementation of the right to food as specified under the *International Covenant on Economic, Social and Cultural Rights*.

Mandate

(2) In carrying out its objects, the Council shall

- a) undertake research and gather information and analyses on critical issues of food policy;
- b) consult with government departments, industry, civil society, and other stakeholders on current priorities and events;
- c) make food-policy recommendations directly to policy-makers and through the production of reports.

Powers and capacity of Council

5. (1) In carrying out its objects, the Council has the capacity and, subject to this Act, the rights, powers and privileges of a natural person and in particular, but without limiting the generality of the foregoing, the Council may

- a) sponsor and support advisory services and provide financial resources as required in response to requests emerging directly or indirectly from governments, public or private organizations, institutions or agencies throughout Canada;
- b) establish, maintain and support information and data centres and facilities for research and other activities relevant to its objects;
- c) foster and fund research;
- d) publish and disseminate studies, reports and other materials;
- e) sponsor and support seminars, workshops and other meetings;
- f) carry out its activities through existing organizations, institutions and agencies;
- g) expend any money provided by Parliament or any other sources, or received by the Council through the conduct of its operations, for the activities of the Council, subject to any terms on which it is provided or received;
- h) acquire by gift, bequest or otherwise any real or personal property and hold, expend, invest, administer or dispose of any such property, in accordance with the

by-laws of the Council; and

- i) do all such things as are conducive to the fulfillment of its purpose.

MEMBERS

Chairperson

6. (1) The Chairperson of the Council shall be elected by the membership to hold office during pleasure for a term not exceeding three years.

Other members

(2) Each member of the Council, other than the Chairperson, shall be appointed by the Governor in Council to hold office during pleasure for such term, not exceeding three years, as will ensure as far as possible the expiration in any one of the terms of appointment of one third of the members.

Representative nature

(3) In appointing persons as members, the Governor in Council shall have regard to the importance of maintaining a broadly representative and knowledgeable membership that reflects the need for concerted action in all sectors of Canadian society and all regions of Canada to ensure the right to food is protected.

Representation must include 30 members, among them:

(a) stakeholders from food production, processing, distribution, consumption, and waste management;

(b) representation from each Canadian province and territory;

(c) representation from three Canadian municipalities;

(d) no fewer than three indigenous members;

(e) stakeholders from social services, labour, transportation, healthcare, and civil society.

Members may represent multiple requirements.

Qualification

(4) A person is eligible to be appointed as a member if the person has knowledge or experience of food policy matters that will assist the Council in fulfilling its purpose.

Reappointment

(5) A member is eligible for reappointment in the same or another capacity.

Resignation

7. (1) Subject to subsection (2), a member who wishes to resign shall notify the Chairperson in writing to that effect, and the resignation becomes effective when the Chairperson receives the notice or at the time specified in the notice, whichever is later.

Idem

(2) If the Chairperson wishes to resign, the Chairperson shall notify the Minister in writing to that effect, and the resignation becomes effective when the Minister receives the notice or at the time specified in the notice, whichever is later.

Functions of Chairperson

8. (1) The Chairperson shall preside at meetings of the Council and shall perform such other duties and functions as are imposed, or exercise such powers as are conferred, by or under the by-laws or resolutions of the Council.

Election of Vice-Chairpersons

(2) The executive committee of the Council shall elect two members of the committee to be Vice-Chairpersons of the Council.

Absence or incapacity of Chairperson

(3) If the Chairperson is absent or unable to act or the office of the Chairperson is vacant, the executive committee of the Council may authorize a Vice-Chairperson or other member of the executive committee to act as Chairperson, but no person may so act for a period exceeding sixty days without the approval of the Governor in Council.

EXECUTIVE COMMITTEE

Executive committee

9. (1) There shall be an executive committee of the Council consisting of the Chairperson and the Executive Director and not fewer than five or more than seven other members of the Council to be appointed by the members for such term of office as they consider appropriate.

Functions of executive committee

(2) The executive committee shall assist the Executive Director in supervising the work of the Council and shall perform such duties and functions as are imposed, or exercise such powers as are conferred on the executive committee by or under the by-laws or resolutions of the Council.

Chairperson or executive committee

(3) The Chairperson is the chairperson of the executive committee.

Meetings

(4) The executive committee shall meet at least four times a year.

EXECUTIVE DIRECTOR

Executive Director

10. (1) There shall be an Executive Director of the Council, who shall be appointed by the Governor in Council, on the recommendation of the Minister, to hold office during pleasure for a term not exceeding three years.

Chief executive officer

(2) The Executive Director is the chief executive officer of the Council and has supervision over and direction of the work and staff of the Council and shall perform such duties and functions as are imposed, or exercise such powers as are conferred, on the Executive Director by or under the by-laws or resolutions of the Council.

Reappointment

(3) The Executive Director is eligible for reappointment.

Absence or incapacity of Executive Director

(4) If the Executive Director is absent or unable to act or the office of Executive Director is vacant, the executive committee may authorize an employee of the Council to act as Executive Director.

REMUNERATION AND EXPENSES

Part-time

11. The members are appointed to perform their duties on a part-time basis.

Members' fees

12. (1) The members shall be paid such fees for their attendance at meetings and for the performance of other duties under this Act as the Governor in Council may fix.

Executive Director's salary

(2) The Executive Director shall be paid such salary or other remuneration as the Governor in Council may fix.

Members' expenses

13. (1) A member is entitled to be paid reasonable travel and living expenses incurred by the member in performing duties under this Act.

Executive Director's expenses

(2) The Executive Director is entitled to be paid reasonable travel and living expenses incurred by the Executive Director in performing duties under this Act.

PRINCIPAL OFFICE AND MEETINGS

Principal office

14. The principal office of the Council shall be at such place in Canada as the Governor in Council may designate.

Meetings

15. (1) The Council shall meet at such places in Canada as the Chairperson may select and at such times as the executive committee may select, but it shall meet at least four times a year.

Quorum

(2) A majority of the members in office constitutes a quorum at a meeting of the Council.

Attendees

16. (1) A Minister designated pursuant to subsection (2) is entitled to receive notice of all meetings of the Council and to attend and take part in, but not to vote at, those meetings.

Designation

(2) The Minister, after consultation with the Chairperson and other Ministers, may designate any Minister of the Government of Canada who has responsibilities relating to food policy to attend meetings of the Council and otherwise participate in its activities.

BY-LAWS

By-laws

17. (1) The Council may make by-laws for the regulation of its proceedings and generally for the conduct and management of its activities, including the establishment of investment, advisory or other committees of the Council.

Membership of committees

(2) Any by-law made pursuant to subsection (1) that establishes a committee may provide for the members of the committee to include or consist of persons who are not members of the Council.

Fees

(3) The members of a committee who are not members of the Council may be paid such fees for their attendance at meetings of the committee as the Governor in Council may fix.

Expenses

(4) A member of a committee who is not a member of the Council is entitled to be paid reasonable travel and living expenses incurred by the member in attending meetings of the committee.

GENERAL

Agent of Her Majesty

18. The Council is an agent of Her Majesty in right of Canada.

Staff

19. (1) The Council may employ or engage such employees and agents as it considers necessary for the proper conduct of its work and may prescribe their duties and, subject to the approval of the Treasury Board, the conditions of their employment or engagement, including remuneration and the payment of expenses.

Temporary staff

(2) The Council may engage on a temporary basis persons who have technical or specialized knowledge of any matter relating to the work of the Council to advise and assist the Council and, subject to the approval of the Treasury Board, may fix and pay the remuneration of those persons.

Application of *Public Service Superannuation Act*

20. The *Public Service Superannuation Act* does not apply to any member unless the Governor in Council directs otherwise.

Compensation

21. The Executive Director and employees of the Council shall be deemed to be employees for the purposes of the *Government Employees Compensation Act* and to be employed in the public service of Canada for the purposes of any regulations made pursuant to section 9 of the *Aeronautics Act*.

Annual audit

22. The accounts and financial transactions of the Council shall be audited annually by the Auditor General of Canada, and a report of the audit shall be made to the Council and to the Minister.

Annual report

23. (1) Within four months after the end of each fiscal year, the Chairperson shall submit to the Minister a report on the activities of the Council during that year, including the financial statements of the Council and the Auditor General's report thereon.

Tabling in Parliament

(2) The Minister shall cause a copy of the report to be laid before each House of Parliament within the first fifteen days on which that House is sitting after the day on which the Minister receives the report.

Research reports

24. (1) Research papers shall be submitted to the House of Commons committee deemed most relevant and to the bureaucratic arm of relevant Ministries.