

## *BOOK REVIEWS*

### *CANADIAN FARM LAW*

By Donald John Purich

Saskatoon: Western Producer Prairie Books 1982, 128 pp.  
Kenneth Ralph Hanssen\*

This is not as the author says "a lawyers book". It was instead written for use by farmers — to give them a brief over-view of the numerous and varied laws that affect them daily in their businesses. The author takes on the difficult, if not impossible task, of pulling together the different laws which affect farmers. He then attempts to present them to the reader in a simple, orderly fashion. Considering there are over two hundred statutes in the Prairie Provinces alone and in excess of thirty pieces of Federal legislation which bear directly upon agriculture, not to speak of numerous other laws such as the Income Tax Act which have a significant affect upon farming, he does a very commendable job on the task he has set for himself.

As might be expected he covers the obvious topics of real estate law, wills and estates, partnerships and corporations, farm leases, employment law, farm machinery purchases and taxation. But he also addresses issues which are seemingly more important to farmers today than ever before, namely, how to deal with financial problems and the impact a marriage breakup has on farming operations. In both of these cases he has some very practical straight forward advice which should be of use to the reader.

Obviously, since most of the farming in this country takes place in the four Western Provinces and Ontario the book concentrates on the laws of these Provinces. The author does try however to give an over-view of the laws of all of the Provinces.

In presenting his material the author makes effective use of the technique of examples. He presents a simple example of a problem which a farmer has either experienced or will recognize he might very well experience in the future. Then he shows how the various laws impact upon this problem. In this way he is able to convey to his reader the important role that law plays in his daily affairs.

If I were to offer any criticism of the author it would be that on occasion he sacrifices accuracy for generality and simplicity. He can probably be forgiven for this, since the purpose of his book is not that of a legal treatise but rather to give the farmer a general idea of the laws that affect him. The author does on occasion, however, leave the impression that some very complex matters are quite simple. While he repeatedly cautions the reader to seek competent legal and accounting advice the author often seems to be suggesting ways in which the farmer can do it himself. For example he attaches as appendices to his book a farm partnership agreement, a farm operating agreement and an income sharing agreement. Agreements such as these are by nature very complex and it does not seem to me to be wise to suggest to a farmer that he should venture into drafting such agreements on his own without the assistance of his lawyer and his accountant.

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On the whole I would say that this is a book which should be in every farmer's library. It is however important for the farmer to recognize that the book is not a comprehensive statement of the laws which affect him but rather a book which is intended to give him a "feel" for the way in which the Law affects him. In other words the farmer should realize it is not a substitute for his lawyer and his accountant.