

Bill No. 73 of 1948.

A BILL TO CREATE A DEPARTMENT OF LANDS
AND FORESTS

NOTE.

This Bill enacts a new Act.

The Department of Lands and Forests is one of two new Departments which are being set up to replace the present Department of Lands and Mines. The provisions of this Act are practically the same as the present *Department of Lands and Mines Act*.

The Department is given the administration of such Acts relating to lands, forests and other natural resources as may from time to time be assigned to the Department by any Act of the Legislature or by the Lieutenant Governor in Council. It is also charged with the administration and management of all lands, forests and other natural resources vested in or belonging to the Crown which are subject to the provisions of any Act assigned to the Department.

The new Department will be set up effective the first day of April, 1949, when *The Department of Lands and Mines Act* is repealed.

W. S. GRAY,
Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 73 of 1948.

An Act to Create a Department of Lands and Forests.

(Assented to _____, 1948.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

SHORT TITLE.

1. This Act may be cited as "*The Department of Lands and Forests Act*".

INTERPRETATION.

2. In this Act, unless the context otherwise requires,—
- (a) "Department" means the Department of Lands and Forests;
 - (b) "Minister" means the Minister of the Department of Lands and Forests.

ORGANIZATION AND FUNCTIONS OF DEPARTMENT.

3. There shall be a Department of the Public Service of the Province of Alberta called the Department of Lands and Forests, over which the member of the Executive Council appointed by the Lieutenant Governor under the Seal of the Province to discharge the functions of the Minister of the Department of Lands and Forests, shall preside.

4. Subject to the provisions of *The Public Service Act, 1947*, the Department shall have the administration of such Acts relating to lands, forests and other natural resources as may from time to time be assigned to the Department by any Act of the Legislature, or by the Lieutenant Governor in Council, and shall have the administration and management of all lands, forests and other natural resources vested in or belonging to the Crown in the right of the Province which are administered under any such Act.

5. The Lieutenant Governor in Council may, for the purposes of administration, create within the Department a branch or branches thereof and may prescribe the duties and functions thereof and may assign to a branch the administration of any Acts of which the Department has the administration.

6. The Lieutenant Governor in Council may appoint a Deputy Minister of Lands and Forests.

7. The Lieutenant Governor in Council may appoint an official as the Chief Officer of any branch created pursuant to this Act and may confer upon such officer such of the powers of a Deputy Minister relating to the administration of any such Act as may be specified by Order in Council:

Provided always that the powers so conferred shall be subject to the direction and control of the Deputy Minister.

8. Subject to the provisions of *The Public Service Act, 1947*, the Lieutenant Governor in Council may appoint such other officers, clerks or servants as may be required to carry on the business of the Department and may provide for their remuneration and prescribe their duties.

9.—(1) The Lieutenant Governor in Council may appoint not more than three persons as an Advisory Board, and may nominate the chairman thereof and determine their remuneration.

(2) The Board shall meet at the call of either the Minister or the chairman.

(3) The Board shall act in an advisory capacity to the Minister for the purpose of furthering the administration and development of any of the natural resources situate in the Province, and shall undertake such inquiries and investigations as the Minister may from time to time direct.

(4) The Lieutenant Governor in Council may also appoint advisory committees of three or more persons, and may nominate the chairman of each committee and determine their remuneration.

(5) Each committee shall meet at the call of the Minister or the chairman and shall act in an advisory capacity to the Minister for the purpose of furthering the administration and development of a natural resource situate in the Province and specified in the order appointing the committee, and shall undertake such inquiries and investigations with respect to such natural resource as the Minister may from time to time direct.

10.—(1) When, upon the written authority of the Minister or Deputy Minister, photographs have been taken of any papers, books, files, documents or plans of record in the Department that relate to transactions that have been concluded for a period of more than one year, and the film of the photograph has been duly certified under the signature of an officer of the Department duly nominated for the purpose by the Minister, the papers, books, files, documents and plans may be destroyed forthwith under the direction and supervision of the officer.

(2) A print from any such photographic film and a certificate under the signature of the officer, or failing whom, the signature of any other officer of the Department duly nominated for the purpose, certifying that the print is a print from the film and that the film was duly certified as a film of the original document in compliance with subsection (1) of this section, shall be received in evidence in all legal proceedings for all purposes for which the original document of which the print is a photograph would have been received.

11. Copies or photostatic copies of any records, documents, plans, books or papers belonging to or deposited in the Department, attested under the signature of the Minister, the chief officer of any branch, or any chief clerk or other officer thereunto authorized by the Minister, or heretofore attested under the signature of the Minister of Lands and Mines or any other duly authorized officer, and of plans or documents in any Provincial Lands Office in Alberta, attested as aforesaid or under the signature of the officer in charge of the office, shall be competent evidence in all cases in which the original documents, books, plans or papers would be evidence.

12. Lithographed or other copies of maps or plans purporting to be issued or published by the Department, the Department of Public Works or the Government of Canada, or heretofore published by the Department of Lands and Mines, shall be received in all courts and proceedings as *prima facie* evidence of the originals, and of the contents thereof.

13. This Act shall come into force on the first day of April, 1949.

No. 73

FIFTH SESSION
TENTH LEGISLATURE
12 GEORGE VI
1948

BILL

An Act to Create a Department of
Lands and Forests.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. TANNER.

EDMONTON:
A. Shnitka, King's Printer
1948