

Bill No. 45 of 1951.

A BILL TO AMEND THE LIGHTNING ROD ACT.

NOTE.

This Bill amends *The Lightning Rod Act*, being chapter 268 of the Revised Statutes of Alberta, 1942.

Section 2 is amended by adding a definition of the term "building". "Building" is defined as including a structure because lightning rod installations are frequently made on structures other than buildings and it is desired to have the Act applicable to such installations.

The heading "Licensing of Salesmen" is struck out and the heading "Licensing of Vendors" is substituted. The present heading is somewhat misleading. The licenses referred to in the sections following the heading are not licenses to individual salesmen but rather are licenses to the firms, corporations or manufacturers that are selling or distributing such apparatus within the Province.

Section 6 is struck out and a new section simply providing for a license fee of fifty dollars is substituted. The present section provides for a tax of eighty cents payable for every one hundred dollars of lightning rods and equipment sold, and the amendment eliminates this tax.

Section 7, subsection (2) is amended by striking out the portion of the subsection referring to expiration and renewal of licenses. The effect of this amendment is to enable a permanent license to be issued which does not have to be renewed annually.

Section 9, subsection (1) is amended by striking out all of the subsection following clause (a) and substituting two new clauses (b) and (c). The new clause (b) requires the licensee to give to the owner a certificate of installation and a guarantee agreement upon completion of the work. The new clause (c) requires the licensee to forward monthly to the Fire Commissioner duplicate originals of all certificates of installation that he has given to owners. The forwarding of the certificates of installation will enable the Fire Commissioner to give closer supervision over agents and their installations of apparatus. The requirement of furnishing a copy of the Act and the regulations to each owner for whom an installation is made has been deleted.

Subsection (2) of section 9 has been struck out and a new subsection is substituted. The reference presently con-

tained in this subsection had to be changed by reason of the amendment to subsection (1). Subsection (2) has been reworded slightly also for purposes of clarification, although its meaning and intention is unchanged.

Section 14 is struck out and a new section is substituted. The new section provides that all license fees and penalties payable under this Act shall be paid into the General Revenue Fund. There appears to be no necessity for paying these items into a special fund which was previously provided for.

The Bill comes into force on the 1st day of July, 1951.

KENNETH A. MCKENZIE,
Legislative Counsel.

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

BILL

No. 45 of 1951.

An Act to amend The Lightning Rod Act.

(Assented to _____, 1951.)

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

1. *The Lightning Rod Act*, being chapter 268 of the Revised Statutes of Alberta, 1942, is hereby amended.

2. Section 2 is amended,—

Section 2
amended

(a) by relettering clauses (a) to (d) inclusive as clauses (b) to (e) respectively;

(b) by adding immediately before clause (b) the following new clause:

“(a) ‘building’ includes any structure on which apparatus for the protection of that structure from damage by lightning may be installed;”.

“building”

3. The heading immediately preceding section 3 is amended by striking out the word “Salesmen” and by substituting the word “Vendors”.

Heading
amended

4. Section 6 is struck out and the following is substituted:

Section 6
amended

“**6.** The applicant shall pay to the Fire Commissioner a license fee of fifty dollars.”.

License fee

5. Section 7, subsection (2) is amended by striking out the words “and shall expire on the thirty-first day of December in each year, but shall be renewable from year to year on payment of the prescribed fees”.

Section 7
amended

6. Section 9 is amended,—

Section 9
amended

(a) by striking out all of subsection (1) following clause (a) and by substituting the following:

“(b) give to the owner of the building, upon completion of the work, a certificate of installation and a guarantee agreement, each of which shall be in the form prescribed by the regulations;

“(c) forward to the Fire Commissioner at the end of each month a duplicate original of each certificate of installation that he has given to an owner in that month.”;

(b) by striking out subsection (2) and by substituting the following:

Failure to
give
guarantee
certificate

“(2) A licensee who fails to give a guarantee agreement as required by subsection (1), clause (b) shall be liable to the owner to the same extent as he would have been had he given such a guarantee agreement.”.

Section 14
amended

7. Section 14 is struck out and the following is substituted:

License fees
form part
of General
Revenue
Fund

“**14.** All license fees payable under this Act shall be paid into the General Revenue Fund.”.

Coming
into force

8. This Act shall come into force on the first day of July, 1951.

FOURTH SESSION
ELEVENTH LEGISLATURE

15 GEORGE VI

1951

BILL

An Act to amend The Lightning Rod
Act.

Received and read the

First time

Second time

Third time

HON. MR. GERHART.
