

A BILL TO AMEND THE BUREAU OF PUBLIC
WELFARE ACT

NOTE

This Bill amends *The Bureau of Public Welfare Act*, being chapter 21 of the Revised Statutes of Alberta, 1942.

The Bureau of Public Welfare is being abolished and its duties assumed by the Department of Public Welfare. The Office of Commissioner of Public Welfare is abolished and the Minister will assume those duties previously performed by the Commissioner. The long and short titles of the Act are therefore amended accordingly.

Section 2 is amended. This section has been redrafted and additional terms are defined therein. Also, certain terms which were either undefined or were defined in other sections throughout the Act have been brought under section 2 and defined there.

Sections 3 and 4 are repealed. These sections authorized the Bureau and its officers.

Section 5 is struck out and new sections substituted. The new section 5 empowers the Minister to provide material aid to persons in the Province who are not eligible for aid from any municipality.

Section 5a empowers the Minister to operate and maintain homes for the aged.

Section 5b empowers the Minister to operate and maintain training schools for wards of the Government.

Section 5c authorizes him to provide for instruction and training of poliomyelitis paralytics.

Section 6 is amended to remove the reference to the Commissioner and to refer to the Minister.

Section 7 which defined the duties of the Commissioner is repealed.

Section 9 is amended to refer to the Minister instead of the Bureau.

Section 11 is struck out and a new section substituted. The new section imposes an obligation upon municipalities to provide aid for their destitute residents who received material aid from the municipality while resident therein and who move from the municipality within a certain time thereafter. Subsection (2) provides a date from which a municipality may compute the time the last material aid was provided a person, and subsection (3) provides a rule for determining to what extent a recipient of certain social legislation benefits is a "self-supporting" person.

Section 12 is struck out and a new section substituted which provides a new presumption of residence in the case of married persons.

Section 13 is struck out and a new section substituted. The new section requires a municipality, as a condition of receiving assistance to defray the cost of providing material aid, to obtain an application from any person who represents himself to be destitute and determine the need for aid, to provide adequate material aid for its destitute residents and to provide aid and forward the application for aid to the proper authority in cases of urgency where a non-resident of the municipality is involved.

Sections 14 and 16 are similarly amended to remove the reference to the Bureau and have reference made to the Department instead.

Section 17, subsection (2) is amended to refer to the Minister instead of the Commissioner.

Section 20 is amended to refer to Department or Minister where the reference was previously to the Bureau or Commissioner.

Section 21 is amended to correct a reference and to extend its provisions to veterans of World War II.

Section 22 is amended to change a reference.

Section 27 is amended to bring up to date the references in this section to provincial Acts.

Part II is struck out and a new section 28 substituted therefor. This section empowers the Minister with the approval of the Lieutenant Governor in Council, to make regulations.

This Bill comes into force upon assent.

J. W. RYAN,
Acting Legislative Counsel.

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

BILL

No. 40 of 1953

An Act to amend The Bureau of Public Welfare Act

(Assented to , 1953)

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

1. *The Bureau of Public Welfare Act*, being chapter 21 of Revised Statutes of Alberta, 1942, is hereby amended.

2. The long title is struck out and the following is substituted: "An Act respecting Public Welfare". Long title amended

3. Section 1 is amended by striking out the words "Bureau of". Section 1 amended

4. Section 2 is struck out and the following is substituted: Section 2 amended

- "2. In this Act, unless the context otherwise requires, Interpretation
- "(a) 'adequate food allowance' means an allowance in money or its equivalent of such amount, having regard to the prices prevailing, as will make available food of such amount, as may from time to time be determined by order in council; "adequate food allowance"
- "(b) 'destitute employable person' means a person who is for the time being unable to provide subsistence for himself and such dependants as he is under a legal obligation to support, and who is not permanently physically or mentally unfit to be gainfully employed but for whom no employment is available; "destitute employable person"
- "(c) 'Department' means the Department of Public Welfare; "Department"
- "(d) 'home' means a building and its grounds operated and maintained by the Department for the care of aged or infirm persons; "home"
- "(e) 'material aid' means any food, fuel, clothing or shelter provided out of public funds and includes any money paid to any destitute employable person out of public funds; "material aid"
- "(f) 'Minister' means Minister of Public Welfare; "Minister"
- "(g) 'municipality' means any city, town, village, municipal district, improvement district and special area which accepts assistance in the form of a grant for material aid from Canada or the Province, and includes in respect of an improvement district or "municipality"

special area, the Minister of Municipal Affairs and in respect of any other municipality, the council of the municipality;

- "public funds" "(h) 'public funds' means moneys contributed by Canada, the Province or by any municipality;
- "resident of a municipality" "(i) 'resident of a municipality' means a resident of a municipality as determined under the provisions of the appropriate municipal Act relating to indigent persons;
- "resident of the Province" "(j) 'resident of the Province' means a person not being a resident of a municipality who has resided within the boundaries of the Province for twelve months out of the immediately preceding twenty-four months as a self-supporting person immediately before he applies for material aid;
- "self-supporting person" "(k) 'self-supporting person' means a person who is able to and does provide subsistence for himself and such dependants as he is under a legal obligation to support without applying for and receiving material aid or other assistance from public funds;
- "subsistence" "(l) 'subsistence' means the necessary resources to secure food, fuel, clothing and shelter;
- "training school" "(m) 'training school' means a building and its grounds operated and maintained by the Department for the care and training of children who are wards of the Government pursuant to *The Child Welfare Act*;
- "transient person" "(n) 'transient person' means a person who is not a resident of a municipality or of the Province;
- "unemployment relief work" "(o) 'unemployment relief work' means any work which has not been regularly provided for in the annual estimates of a municipality and which is not disallowed by the Minister."

Sections
3 and 4
repealed

5. Sections 3 and 4 are repealed.

Section 5
amended
Assistance

6. Section 5 is struck out and the following is substituted:

"5. The Minister out of the moneys appropriated by the Legislature for the purpose may provide material aid or other assistance for any person

"(a) who is destitute, and

"(b) who is

"(i) a transient person, or

"(ii) a resident of the Province who is not a resident of a municipality.

New sections
5a, 5b, 5c
Homes for
aged or
infirm
Training
schools

"5a. The Minister may acquire, maintain and operate homes and maintain therein persons who are aged or infirm.

"5b. The Minister may acquire, maintain and operate training schools and maintain therein children who are wards of the Government under *The Child Welfare Act*.

"5c. The Minister may make such provision for the training and instruction of persons suffering from paralysis caused by poliomyelitis as he may consider to be in their best interests."

Rehabilitation

7. Section 6 is amended by striking out the word "Commissioner" wherever it occurs and by substituting the word "Minister".

Section 6 amended

8. Section 7 is repealed.

Section 7 repealed

9. Section 9 is amended by striking out the words "With the approval of the Minister, the Bureau of Public Welfare" and by substituting the words "The Minister".

Section 9 amended

10. Section 11 is struck out and the following is substituted:

Section 11 amended

"11. (1) A municipality is responsible for the provision of material aid to a person

Responsibility of municipality

"(a) who while a resident of the municipality receives material aid therefrom, or

"(b) who while a resident of the municipality moves from the municipality into another municipality

"(i) while receiving material aid therefrom, or

"(ii) within twelve months after he last received material aid therefrom,

and the provision of material aid shall continue to be the responsibility of the municipality until that person becomes a resident of another municipality within the meaning of this Act.

"(2) In determining whether a person has become a resident of a municipality the period of twelve consecutive months referred to in clause (i) of section 2 shall be computed from the last day of the month in which the last issue of material aid was accepted by that person or by his spouse.

Determining residence

"(3) A person who receives any assistance, pension, allowance or compensation

Self-supporting person

"(a) under *The Old Age Security Act (Canada)*, *The Old Age Assistance Act*, *The Blind Persons Act*, *The Widows' Pensions Act*, *The Mothers' Allowance Act* or *The Workmen's Compensation Act, 1948*, or

"(b) in recognition of services performed by him, shall be deemed a self-supporting person to the extent of such assistance, pension, allowance or compensation."

11. Section 12 is struck out and the following is substituted:

Section 12 amended

"12. Subject to compliance with any provisions in respect of the length of time required for acquisition of residence in a municipality, a married man and his wife shall both be deemed to reside or have their home in the municipality where the abode of their family or household is situate."

Residence of married persons

Section 13
amended

12. Section 13 is struck out and the following is substituted:

Conditions
of receiving
assistance

"13. If assistance is afforded a municipality in defraying the cost of providing material aid, whether afforded by Canada or by Alberta or both, then the municipality, as a condition of receiving the assistance, shall

- "(a) first obtain from any person who represents himself to be a destitute employable person an application in writing on the form prescribed by the regulations and thereupon determine the need for material aid;
- "(b) provide adequate material aid in conformity with this Act for any destitute employable person who is a resident of the municipality;
- "(c) in cases of urgent necessity
 - "(i) provide material aid for any destitute employable person living within the boundaries who is not a resident of the municipality, and
 - "(ii) forward the written application to the appropriate authority together with the written notice required by section 14."

Section 14
amended

13. Section 14 is amended by striking out the word "Bureau" wherever it occurs and by substituting the word "Department".

Section 16
amended

14. Section 16 is amended by striking out the word "Bureau" and by substituting the word "Department".

Section 17
amended

15. Section 17, subsection (2) is amended by striking out the word "Commissioner" and by substituting the word "Minister".

Section 20
amended

16. Section 20 is amended

- (a) by striking out the word "Bureau" wherever it occurs and by substituting the word "Department";
- (b) by striking out the word "Commissioner", where it occurs in clause (d) of subsection (1), and by substituting the word "Minister".

Section 21
amended

17. Section 21 is amended

- (a) by striking out the word "Bureau" wherever it occurs and by substituting the word "Department";
- (b) by striking out the words "the Great War", where they occur in subsection (2), and by substituting the words "World War I or World War II";
- (c) by striking out the words "Expeditionary Force", where they occur in subsection (2), and by substituting the words "armed forces".

Section 22
amended

18 Section 22 is amended by striking out the word "Bureau" and by substituting the word "Department".

19. Section 27 is amendedSection 27
amended

- (a) by adding immediately after the words "construed with" the words "*The City Act, The County Act*";
- (b) by adding immediately after the words "*The Town and Village Act*," the figures "1952,".

20. The heading "Part II" and sections 28 to 33 inclusive are struck out and the following is substituted:Sections
28 to 32
repealed
Section 33
renumbered
Regulations

"**28.** The Minister, with the approval of the Lieutenant Governor in Council, may make such regulations as may be deemed necessary for the proper carrying out of this Act and without limiting the generality of the foregoing may make regulations

- "(a) relating to the admission of persons to a home or training school,
- "(b) providing for the making of arrangements with the council of a municipality relating to the admission of persons to a home or training school,
- "(c) providing for the terms of admission to a home or training school of any person who is resident, within the meaning of the appropriate municipal Act, in a municipality with whom an arrangement has been made in respect of admissions to homes or training schools."

21. This Act comes into force on the day upon which it is assented to.Coming
into force

No. 40

FIRST SESSION
TWELFTH LEGISLATURE
2 ELIZABETH II
1953

BILL

An Act to amend The Bureau of
Public Welfare Act

Received and read the

First time

Second time.....

Third time.....

HON. MR. HALMRAST
