

No. 94

1st Session, 15th Legislature, Alberta
12 Elizabeth II

BILL 94

A Bill to Provide Commercial Services to Business
and Industry in Alberta

HON. MR. PATRICK

Explanatory Note

General. This Bill will establish an Alberta Commercial Branch within the public service, with advisory and promotional duties as set out in Clause 4. It will also establish a corporation with the name Alberta Commercial Corporation, with the objects set out in Clause 8, to encourage trade and industry by various means.

2. Definitions.

3. Establishment of the Alberta Commercial Branch under the charge of a Director.

4. Duties of the Alberta Commercial Branch.

5. Alberta Commercial Corporation is created with a board of directors.

BILL

No. 94 of 1964

An Act to Provide Commercial Services to Business
and Industry in Alberta

(Assented to _____, 1964)

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

1. This Act may be cited as "*The Alberta Commercial Services Act*".

2. In this Act,

- (a) "corporation" means the Alberta Commercial Corporation constituted by section 5;
- (b) "Minister" means the member of the Executive Council charged with the administration of this Act.

3. (1) There shall be a branch within the Minister's Department to be known as the Alberta Commercial Branch.

(2) There shall be appointed a Director, who shall be in charge of the Alberta Commercial Branch, and such other employees as may be required by the Branch to carry out its functions and duties.

4. (1) The duties of the Alberta Commercial Branch are

- (a) to provide technical and business advice and guidance to persons and organizations,
- (b) to encourage trade and industry and promote the diversification of business activity in the Province,
- (c) to assist in and encourage the development of markets outside Alberta for goods produced in the Province, and
- (d) to carry out such other duties and functions as may be assigned to it by the Minister or the Lieutenant Governor in Council.

(2) The Alberta Commercial Branch shall provide such clerical, accounting, technical and other assistance to the corporation as may be required by the corporation to carry out its functions.

5. (1) A corporation is hereby established with the name of the Alberta Commercial Corporation.

6. Remuneration of directors.

7. Authority of directors to conduct the affairs of the corporation.

8. Purposes and objects of Alberta Commercial Corporation.

(2) The affairs of the corporation shall be conducted by a board of directors which shall consist of

- (a) the Director of the Alberta Commercial Branch appointed pursuant to section 3, and
- (b) not more than four other persons appointed by the Lieutenant Governor in Council, to hold office during pleasure.

(3) The Director of the Alberta Commercial Branch shall be the chairman of the board and the Lieutenant Governor in Council may appoint one of the other directors as vice-chairman who shall act as chairman when the chairman is absent or unable to act.

(4) Where one or more vacancies occur on the board, the remaining directors may exercise all the powers of the board so long as a quorum of the board remains in office.

(5) A majority of directors constitutes a quorum.

6. (1) Any directors who are members of the public service of the Province shall serve without remuneration but the corporation may pay the other directors such remuneration as may be determined by the Lieutenant Governor in Council

(2) The directors are entitled to be paid by the corporation reasonable travelling and living expenses while absent from their ordinary place of residence in the course of their duties.

7. (1) Subject to this Act and the regulations, the directors shall administer the business and affairs of the corporation and may make by-laws respecting the calling of meetings of the board and the quorum and conduct of business thereat, the duties and conduct of the directors, employees and agents and generally as to the conduct of the affairs of the corporation.

(2) The corporation may employ such agents, advisors, or employees as it may require from time to time and may determine their remuneration, which shall be paid out of the revenues of the corporation.

8. (1) The purposes and objects of the corporation are

- (a) to provide assistance to producers and to the operators of manufacturing plants that are established or that by means of such assistance will be established in the Province,
- (b) to provide technical and business advice and guidance to persons and organizations,
- (c) generally to encourage trade and industry and promote the diversification of business activity in the Province,
- (d) to assist in and encourage the development of markets outside Alberta for goods produced in the Province, and

9. Loans to the corporation.

10. (1) The corporation is required to keep books and have them audited annually by the Provincial Auditor.

(e) to carry out such other duties and functions as may be assigned to it by the Lieutenant Governor in Council.

(2) In order to achieve its purposes and objects the corporation may provide assistance in such forms as may be decided by the corporation and without restricting the generality of the foregoing

(a) the corporation may

(i) buy, sell and deal in any goods, wares, merchandise and natural products by wholesale or retail or both, and

(ii) act as a broker, factor or agent for any person in the acquisition or disposition of any goods, wares, merchandise or natural products,

and for those purposes do and transact all acts and things that a natural person engaged in a general mercantile business has the capacity or power to transact,

(b) the corporation may, with the approval of the Lieutenant Governor in Council, engage in the business of manufacturing, producing, processing, handling or distributing any goods, wares, merchandise or natural products and do and transact all acts and things that a natural person engaged in any such business has the capacity or the power to transact, including the borrowing of money for any of the purposes of the business,

(c) the corporation may purchase land, buildings, machinery and equipment for the purpose of leasing or re-sale, and

(d) the corporation may make loans for the provision of fixed capital or working capital or for both and for those purposes may purchase or guarantee bonds and debentures and may purchase or otherwise acquire shares in the capital stock of any corporation.

9. (1) The Provincial Treasurer is hereby authorized to make, at the request of the corporation, advances of such sums out of the General Revenue Fund of the Province as are required from time to time for the purpose of transacting the business of the corporation so long as the total amount of the advances outstanding at any one time does not exceed the sum of one million dollars.

(2) In addition to borrowing from the Provincial Treasurer under subsection (1), the corporation may borrow moneys upon the credit of the corporation and, as security therefor, issue bonds, debentures, debenture stock and other securities of the corporation.

10. (1) The corporation shall

(a) keep full and accurate books of account and records of its business and affairs,

(2) Audited statements are to be submitted to the Lieutenant Governor in Council.

(3) The balance sheet of the corporation is to be laid before the Legislative Assembly every year.

11. The Corporation may be required to pay surplus cash into the General Revenue Fund.

12. The Lieutenant Governor in Council may make regulations governing the transaction of business by the corporation and generally to further the intent of the Act.

13. (1) The Alberta Marketing Act is repealed as the matters dealt with under that Act are included in the matters covered by this Act.

(2) The assets and liabilities of The Provincial Marketing Board and Marketing Services Limited are transferred to the Alberta Commercial Corporation.

14. Commencement of Act.

- (b) in the month of January in each year, cause to be prepared and audited by the Provincial Auditor or his nominee an annual report and balance sheet of the corporation's business for the year ending with the preceding thirty-first day of December, and
- (c) at any other time when required to do so by the Lieutenant Governor in Council, cause to be prepared and audited a balance sheet with respect to such part of its business and covering such period as may be specified by the Lieutenant Governor in Council.

(2) Every report and balance sheet so prepared and audited shall be delivered by the corporation to the Minister for submission to the Lieutenant Governor in Council.

(3) The Minister shall lay a copy of the audited balance sheet before the Legislative Assembly within fifteen days after the commencement of the next ensuing session following the delivery of the balance sheet to the Minister.

11. If at any time it is made to appear to the Lieutenant Governor in Council that the corporation has on hand a cash surplus that is not required for financing the operations of the corporation, the Lieutenant Governor in Council may order that such cash surplus be paid into and form part of the General Revenue Fund of the Province.

12. The Lieutenant Governor in Council

- (a) may make regulations as to the manner and extent to which the corporation is to transact any business or exercise any power that by this Act it is authorized to transact or exercise,
- (b) may vest in the corporation such authorities and powers as are by him considered necessary or advisable for the purpose of enabling the corporation to conduct its operations, and
- (c) may make such regulations as he considers to be necessary or advisable for carrying out the intent and purpose of this Act.

13. (1) *The Alberta Marketing Act*, being chapter 191 of the Revised Statutes, is hereby repealed.

(2) All real property and goods and other chattels and all rights, contracts, franchises, assets, liabilities and property of every kind, including things in action and causes of action, owned, held, incurred or used by the corporation known as The Provincial Marketing Board, and Marketing Services Limited, both established under *The Alberta Marketing Act*, are hereby transferred to and vested in the Alberta Commercial Corporation.

14. This Act comes into force on the first day of July, 1964.

FIRST SESSION
FIFTEENTH LEGISLATURE
12 ELIZABETH II
1964

BILL

An Act to Provide Commercial
Services to Business and
Industry in Alberta

Received and read the

First time

Second time

Third time

HON. MR. PATRICK
