

No. 109

2nd Session, 15th Legislature, Alberta
13 Elizabeth II

BILL 109

A Bill to amend The Water Resources Act

HON. MR. STROM

Explanatory Note

1. This Bill amends chapter 362 of the Revised Statutes.

2. The first step in acquiring a licence to divert water is to apply for a preliminary permit under section 14 to authorize examinations and surveys of the proposed works. The new subsection (3a) places limits on the term of preliminary permits.

3. Section 16 deals with the granting of interim licences authorizing the construction of works. Subsection (2) presently reads:

(2) The Minister may, in his discretion, from time to time extend any period fixed for completion of the works.

The new subsection (2) places limits on the term of interim licences and extensions.

4. Section 21a presently reads:

21a. A permit, interim licence or licence that the Minister is empowered to issue under this Act may be issued on behalf of the Minister by the Director of Water Resources.

See clauses 2 and 3 of this Bill.

5. Section 26, subsection (4) reads:

(4) Should any unforeseen disaster intervene to prevent the construction or completion of the works within the time limited, or, if for any other reason the Minister deems it expedient, he may authorize an extension of time for the commencement or completion of the works.

This matter will be covered by the new subsection (2) of section 16. See clause 3 of this Bill.

6. 51a. Cancellation of permit, interim licence or licence on request.

51b. Cancellation of preliminary permit or interim licence when the work is not being proceeded with.

BILL

No. 109 of 1965

An Act to amend The Water Resources Act

(Assented to _____, 1965)

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

1. *The Water Resources Act* is hereby amended.
2. Section 14 is amended by adding the following subsection after subsection (3):
 - (3a) The term of a preliminary permit shall be one year from its date but the Minister may from time to time extend the term for a period not exceeding one further year.
3. Section 16 is amended by striking out subsection (2) and by substituting the following:
 - (2) The term of an interim licence shall be one year from its date but the Minister may from time to time extend the term
 - (a) for a period not exceeding one further year, and
 - (b) if he is satisfied that the completion of the works has been retarded by physical conditions over which the holder of the interim licence has no control, for such additional period or periods as he thinks fit.
4. Section 21a is amended by renumbering the section as subsection (1) and by adding the following subsection:
 - (2) An extension of the term of a preliminary permit or interim licence may be granted on behalf of the Minister by the Director of Water Resources.
5. Section 26 is amended by striking out subsection (4).
6. The following sections are added after section 51:
 - 51a. The Minister may cancel a permit, interim licence or licence if he is requested to do so by the holder of the permit, interim licence or licence.

7. Commencement of Act.

51b. (1) The Minister may cancel a preliminary permit if he is satisfied that the permittee is not diligently and continuously carrying out the examination and survey authorized by the permit.

(2) The Minister may cancel an interim licence if he is satisfied that the licensee is not diligently and continuously carrying out the construction of the works authorized by the interim licence.

(3) No cancellation shall be made by the Minister under this section unless the permittee or licensee has been given at least thirty days' notice of the Minister's intention to cancel the preliminary permit or interim licence and the permittee or licensee within that period fails to submit proof satisfactory to the Minister he is diligently and continuously carrying out the examination and survey or construction of the works, as the case may be.

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

No. 109

SECOND SESSION

FIFTEENTH LEGISLATURE

13 ELIZABETH II

1965

BILL

An Act to amend The Water
Resources Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. STROM
