

No. 81

3rd Session, 15th Legislature, Alberta
14 Elizabeth II

BILL 81

A Bill to amend The Real Estate Agents' Licensing Act

HON. MR. HOLOWACH

Explanatory Note

1. This Bill amends chapter 279 of the Revised Statutes.

2. See note to clause 3 of this Bill.

3. Section 6 authorizes the Superintendent to refuse to issue or to cancel or suspend a licence. Subsections (5) and (8) of section 6 read:

(5) In deciding whether to grant or refuse an application for a licence of an agent or salesman, or to suspend or cancel an existing licence, or to reinstate a suspended licence, the Superintendent may, in a case where he deems it proper, nominate an advisory board of not less than three and not more than five persons

(a) one of whom shall be the Superintendent or other person appointed by him,

(b) one of whom may be a salesman licensed under this Act, and

(c) the remainder of whom shall be agents licensed under this Act, before which board a hearing may be had and a report made to the Superintendent, and in which case the Superintendent shall take the report into consideration when making his decision.

(8) A person dissatisfied with a decision of the Superintendent under this section may appeal therefrom to the Minister whose decision is final.

4. Section 11, clause (c) presently reads:

11. This Act does not apply to

.....

(c) a person not ordinarily trading in real estate

(i) who acquires real estate or any interest therein,

(ii) who disposes of real estate owned by him or in which he has a substantial interest, or

(iii) who is an official or employee of a person engaged in so acquiring or disposing of real estate,

or

5. Commencement of Act.

BILL

No. 81 of 1966

An Act to amend The Real Estate Agents' Licensing Act

(Assented to _____, 1966)

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

1. *The Real Estate Agents' Licensing Act* is hereby amended.

2. Section 6 is amended by striking out subsection (5).

3. The following section is added after section 6a:

6b. (1) In deciding an appeal under subsection (8) of section 6 the Minister may in any case where he considers it proper appoint an advisory board before which a hearing shall be held.

(2) An advisory board shall consist of

(a) a chairman who shall not be the Superintendent or his representative or a person licensed under this Act, and

(b) not less than two and not more than four other persons who shall be persons licensed under this Act.

(3) When the Minister receives a report from an advisory board appointed pursuant to subsection (2) he shall

(a) decide, taking the report into consideration, whether or not the licence should be granted, suspended, cancelled or reinstated, as the case may be, and

(b) direct the Superintendent to act accordingly.

(4) The Minister may pay to members of the advisory board such fees as may be approved by regulation together with such reasonable travelling and other expenses as he considers proper.

4. Section 11, clause (c) is amended by striking out the words "not ordinarily trading in real estate".

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

No. 81

THIRD SESSION
FIFTEENTH LEGISLATURE
14 ELIZABETH II
1966

BILL

An Act to amend The Real Estate
Agents' Licensing Act

Received and read the

First time

Second time

Third time

HON. MR. HOLOWACH
