

No. 83

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

BILL 83

A Bill respecting Provincial Archives

HON. MR. HOLOWACH

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Edmonton, Alberta, 1966

Explanatory Note

1. This Bill will provide for the establishment of Provincial Archives to preserve various Government documents for historical purposes and authorize the destruction of others.

2. Definitions.

3. The Provincial Archives constituted.

BILL

No. 83 of 1966

An Act respecting Provincial Archives

(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. This Act may be cited as "*The Provincial Archives Act*".

2. In this Act,

- (a) "department" means a department of the Government and includes
 - (i) any board, commission or establishment that forms part of the public service of the Province but that is not part of any department,
 - (ii) the office of the Clerk of the Legislative Assembly,
 - (iii) any Provincial agency or Crown corporation, and
 - (iv) any court established by the Province;
- (b) "document" includes any paper, record, map, photograph, book or other documentary material regardless of physical form or characteristics;
- (c) "Minister" means the member of the Executive Council charged with the administration of this Act;
- (d) "official document" means any document created in the administration of the public affairs of the Province, other than a public document;
- (e) "public document" includes any certificate under the Seal of the Province, legal document, security issued by the Province under *The Provincial Loans Act*, voucher, cheque and accounting record and any other document created in the administration of the public affairs of the Province that is designated by the Lieutenant Governor in Council as a public document.

3. The Provincial Archives shall consist of all the documents that pursuant to this or any other Act or an order of the Lieutenant Governor in Council are placed in the care and custody of the Provincial Archivist.

4. Provincial Archivist to be appointed.

5. Functions of Provincial Archivist.

6. Public documents committee established to review documents for preservation or destruction.

7. Transfer of public and official documents to Provincial Archives.

4. In accordance with *The Public Service Act, 1962*, there shall be appointed a Provincial Archivist who shall have the care, custody and control of the Provincial Archives.

5. (1) The duties of the Provincial Archivist are:

- (a) the classification, safekeeping, indexing and cataloguing of all documents in his custody;
- (b) the discovery, collection and preservation of documents having any bearing upon the history of Alberta;
- (c) the copying and printing of documents relating to the history of Alberta;
- (d) the stimulation of public interest in Alberta history by the dissemination of information to the public by exhibitions and displays of materials preserved in the archives and by granting to the public access to items preserved in the archives.

(2) The Provincial Archivist may

- (a) acquire by gift, bequest, loan or purchase, and
- (b) place in the Provincial Archives for preservation, any document having any bearing upon the history of Alberta upon such terms and conditions, if any, as may be stated by the person giving, bequeathing or lending the document.

6. (1) There shall be a committee to be known as the public documents committee which shall consist of

- (a) the Provincial Archivist, who shall be chairman,
- (b) a representative of the Attorney General,
- (c) a representative of the Provincial Auditor,
- (d) the Provincial Librarian, and
- (e) such other persons as may be appointed by the Lieutenant Governor in Council.

(2) The public documents committee may, by unanimous decision, sanction the destruction of any public or official documents, or any class thereof, where it is satisfied that the preservation of the documents is not required for the purposes of the Provincial Archives or for any other purpose.

7. (1) On the recommendation of the public documents committee to the Minister, the Lieutenant Governor in Council may direct that any public or official documents, or any class or examples thereof be transferred to the Provincial Archives.

(2) Where the public interest so requires, the Lieutenant Governor in Council may direct that any official or public document transferred to the Provincial Archives shall not be made available for public inspection for such period of time as the Lieutenant Governor in Council may designate.

8. Duty to preserve official documents.

9. Duty to preserve public documents.

10. Authority to make regulations.

11. Repeal of chapters 254 and 281 of the Revised Statutes.

12. Commencement of Act.

8. Any official documents in the possession of a department shall be preserved by the department until

- (a) they are transferred to the Provincial Archives, or
- (b) their destruction is sanctioned by the public documents committee.

9. (1) Any public documents in the possession of a department shall be preserved by the department until

- (a) they are transferred to the Provincial Archives, or
- (b) their destruction is
 - (i) sanctioned by the public documents committee, and
 - (ii) approved by the Lieutenant Governor in Council.

(2) The Lieutenant Governor in Council may approve the destruction of any public documents, that

- (a) are not being transferred to the Provincial Archives, and
- (b) are not required to be preserved for any other reason.

(3) Notwithstanding subsection (1), no public document shall be destroyed until at least five years after it came into existence.

10. The Lieutenant Governor in Council may make regulations

- (a) designating any document, or class thereof, in the possession of a department to be or not to be a public document for the purposes of this Act,
- (b) prescribing a tariff of charges to be made for supplying copies of documents in the Provincial Archives,
- (c) prescribing the hours and days during which the Provincial Archives shall be open to the public, and
- (d) respecting any other matter necessary to carry out the intent of this Act.

11. (1) *The Preservation of Public Documents Act* is repealed.

(2) *The Registered Documents Destruction Act* is repealed.

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

No. 83

THIRD SESSION
FIFTEENTH LEGISLATURE
14 ELIZABETH II
1966

BILL

An Act respecting Provincial
Archives

Received and read the

First time

Second time

Third time

HON. MR. HOLOWACH
