

Ready for
Introduction

Bill No. 142

~~Mr. Dickie~~
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Motion for Leave to Introduce a Bill

MR. SPEAKER:

I beg leave to introduce a Bill, being The Law Reform Commission Act.

Date April 21, 1971

(Signed) W. D. Dickie

BILL 142

The Law Reform Commission Act

(Assented to _____, 1971)

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

1. In this Act,

- (a) "commission" means the Alberta Law Reform Commission established under this Act;
- (b) "minister" means a member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act.

2.(1) A commission is hereby constituted to be known as the "Alberta Law Reform Commission", consisting of seven members to be appointed by the Lieutenant Governor in Council on the recommendation of the minister.

(2) The Lieutenant Governor in Council shall appoint one of the members as chairman of the commission.

3.(1) The chairman of the commission shall be appointed for a term not exceeding seven years and the remaining members of the commission shall be appointed for term not exceeding three years.

(2) The chairman and each member of the commission may be re-appointed as members of the commission; and the chairman is eligible for re-appointment as the chairman of the commission.

4.(1) The chairman and the remaining members of the commission shall be paid such remuneration as may be fixed by the Lieutenant Governor in Council.

(2) The chairman and other members of the commission may be paid such out-of-pocket expenses incurred by them in the performance of their duties under this Act as may be approved by the minister.

5.(1) The duties of the commission are to inquire into, review and consider law in all matters relating to the law of the Province of Alberta with a view to making recommendations for the improvement, modernization and reform of law,

including, without limiting the generality of the foregoing

- (a) the removal of provisions of the law that are obsolete, outdated or inconsistent;
- (b) the maintenance and improvement of the administration of justice;
- (c) the review of judicial and quasi-judicial procedures under any act;
- (d) the development of new approaches to and new concepts of law in keeping with and responsive to the changing needs of society and of individual members of that society; and
- (e) any subject referred to it by the minister.
- (f) undertake, at the request of the Attorney General or pursuant to recommendations of the commission approved by the Attorney General, the examination of particular branches of the law and the formulation, by means of draft bills or otherwise, of proposals for reform therein.

(2) The commission shall report from time to time to the minister and shall make an annual report to the minister on the activities of the commission for each year.

(3) When the commission reviews, considers or inquires into any matter referred to it by the minister, the commission shall make a report to the minister with respect to that matter at the conclusion of the deliberations.

6.(1) In the performance of its duties, the commission may

- (a) institute and direct research of legal nature, as it deems necessary, including studies and research relating to the laws and legal systems and institutions of other jurisdictions in Canada or elsewhere;
- (b) receive and consider any proposals for the reform of the law that may be made or referred to it by any body or person;
- (c) in its discretion and with the concurrence of the minister undertake any study pursuant to its duties as a joint project of the commission and any one or more other law reforms commissions, agencies or bodies in Canada or elsewhere, and enter into such contractual or other arrangements as it deems necessary for the carrying out of any such joint project, including arrangements for the provision of personnel or other resources of the commission to any such commission, agency or body.

(2) The commission shall include in any program for studies prepared by it any study requested by the minister to which in his opinion, it is desirable in the public interest that special priority should be given by the commission, the commission shall, in determining its priorities for studies in relation to any such program be governed by any request so made to it.

(3) The commission may make by-laws

(a) respecting the calling of meetings of the commission;

(b) respecting the conduct of business at the meetings of the commission and the establishment of committees of the commission, the delegation of duties to any such committees and the fixing of quorums for meetings of such committees.

(4) For the facility of the performance of its duties and of the exercise of its powers provided for in subsections (1) and (2), the commission may

(a) hire such employees as may be necessary for these purposes; and

(b) on a temporary basis or for specific projects, engage the services of persons having technical or specialized knowledge of any matter relating to the work of the commission, to advise and assist the commission in the performance of its duties under this Act;

and, with the approval of the minister, may fix and pay the remuneration and expenses of such persons.

7. All expenditures required for the establishment and operation of the Commission shall be paid out of the moneys appropriated by the Legislature for the purpose of this Act.

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