

1972 Bill 36

First Session, 17th Legislature, 21 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 36

An Act Respecting The Minister of Telephones and Utilities

THE MINISTER OF TELEPHONES

First Reading

Second Reading

Third Reading

BILL 36

1972

AN ACT RESPECTING THE MINISTER OF TELEPHONES AND UTILITIES

(Assented to _____, 1972)

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

1. *The following enactments are amended by striking out the words "Minister of Telephones" wherever they occur and by substituting the words "Minister of Telephones and Utilities":*

The Alberta Government Telephones Act, section 2, clause (b) and section 3;

The Municipal Government Act, section 170, subsection (3);

The Municipal Telephone Act, section 3, subsection (2), clause (b), subsection (3) and subsection (4);

The Rural Mutual Telephone Companies Act, section 2, clause (a);

The Rural Telephones Revolving Fund Act, section 2, clause (c).

2. *The Municipal Telephone Act is amended as to section 3, subsection (2) by striking out the words "Department of Telephones" and by substituting the words "Minister of Telephones and Utilities".*

3. (1) *The Railway Act is amended*

(a) as to section 2

(i) in clause (a), by striking out the words "Board of Public Utility Commissioners" and by substituting therefor the words "Public Utilities Board",

(ii) by striking out clause (d), and

(iii) in clause (n) by striking out the word "Telephones" and by substituting therefor the words "Telephones and Utilities",

and

Explanatory Notes

1. The Bill will officially change the name of office of the Minister of Telephones to the “Minister of Telephones and Utilities” and amend the statutory provisions enumerated. The Act citations are respectively:

Chapter 12 of the Revised Statutes of Alberta 1970;

Chapter 246 of the Revised Statutes of Alberta 1970;

Chapter 218 of the Revised Statutes of Alberta, 1955;

Chapter 292 of the Revised Statutes of Alberta, 1955;

Chapter 84 of the Statutes of Alberta, 1957.

2. The Department of Telephones was abolished in 1968. This section and section 3 amend certain remaining references to the Department to the Minister of Telephones and Utilities. This section amends chapter 218 of the Revised Statutes of Alberta, 1955.

3. Chapter 276 of the Revised Statutes of Alberta, 1955, is amended. The office of the Deputy Minister of Telephones was also abolished in 1968. The Canadian Transport Commission replaced the Board of Railway Commissioners.

(b) *as to section 126, by striking out subsections (2) and (3) and by substituting therefor the following subsections:*

(2) Sections 20 to 24 of *The Public Works Act* and sections 93 to 96 of *The Land Titles Act* apply to the acquisition of lands by the Government or any controlled railway in lieu of the provisions of this Act, and as if

- (a) references therein to the Minister and Department of Public Works were, in the case of a Government railway, references to the Minister of Telephones and Utilities, and to the office of the Minister of Telephones and Utilities or in the case of a controlled railway, to the General Manager, or other chief executive, and the chief officer thereof, respectively,
- (b) references to the Chief Engineer and any engineer or surveyor mentioned therein were references to any duly qualified engineer or surveyor appointed by the Minister of Telephones and Utilities, or the controlled railway, as the case may be,
- (c) references therein to the vesting of land in or issue of title to Her Majesty or the Crown, were references to the Crown or the controlled railway, as the case may be, and
- (d) references to land required for public works or to roads were references to land required for railway purposes.

(3) The deposit of a plan in the land titles office before March 21, 1928, shall be deemed to be sufficient compliance with section 21 of *The Public Works Act*.

(2) *The Railway Act is further amended*

(a) *by striking out the word "Department" wherever it occurs and by substituting therefor the words "office of the Minister" in the following provisions:*

section 74, subsection (5);
section 76;
section 77, subsections (2) and (3);
section 79, subsections (1) and (2);
section 80, subsections (2) and (3);
section 81, subsection (3);
section 127, subsection (2), clause (e);
section 230, subsections (1) and (3);

(b) *by striking out the words "or his Deputy" wherever they occur in the following provisions:*

section 77, subsection (3);
section 127, subsection (2), clause (f);

and

(c) *by striking out the words "Board of Railway Commissioners for Canada" wherever they occur and by substituting therefor the words "Canadian Transport Commission" in the following provisions:*
section 87, subsection (3);
section 131.

4. A reference to the Minister of Telephones in any statutory provision not amended by this Act or in any order, regulation, rule, by-law, certificate of title, agreement or other instrument shall be deemed to be a reference to the Minister of Telephones and Utilities.

5. (1) The member of the Executive Council who, immediately prior to the commencement of this Act, holds the office of Minister of Telephones becomes the Minister of Telephones and Utilities without the necessity of the issue of a new commission or the swearing of another oath of office.

(2) Notwithstanding subsection (1), a commission may be issued to the member of the Executive Council referred to in subsection (1) as Minister of Telephones and Utilities, dated as of the day of the commencement of this Act.

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

4. Changes of reference to the Minister.

5. Transitional provision.