

1972 Bill 58

First Session, 17th Legislature, 21 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 58

The Department of Federal and Intergovernmental Affairs Act

THE MINISTER OF FEDERAL
AND INTERGOVERNMENTAL AFFAIRS

First Reading

Second Reading

Third Reading

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THE DEPARTMENT OF FEDERAL AND INTERGOVERNMENTAL AFFAIRS ACT

(Assented to _____, 1972)

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

1. In this Act

- (a) “intergovernmental agreement” means an agreement or arrangement under which
 - (i) one of the parties is the Government of Alberta or a Minister, agency or official of the Crown in right of Alberta, and
 - (ii) the other party or one of the other parties is the Government of Canada or a Minister, agency or official thereof, the government of another province or territory of Canada or any Minister, agency or official thereof, or the government of a foreign country or state or any agency or official thereof;
- (b) “Minister” means the Minister of Federal and Intergovernmental Affairs.

2. There shall be a Department of the public service of the Province called the Department of Federal and Intergovernmental Affairs over which shall preside the member of the Executive Council appointed by the Lieutenant Governor under the Great Seal of the Province as Minister of Federal and Intergovernmental Affairs.

3. In accordance with *The Public Service Act* there may be appointed a Deputy Minister of Federal and Intergovernmental Affairs and such other employees as are required to conduct the business of the Department of Federal and Intergovernmental Affairs.

Explanatory Notes

1. Definitions.

2. Creation of Department of Federal and Intergovernmental Affairs and office of the Minister.

3. Departmental staff.

4. The Minister

- (a) is responsible for the co-ordination of all policies, programs and activities of the Government of Alberta and its agencies in relation to the Government of Canada, the governments of the provinces and territories of Canada, and the governments of foreign countries or states, and all agencies of those governments;
- (b) shall conduct a continuing review of
 - (i) all policies, programs and activities of the Government of Alberta and its agencies in relation to the Government of Canada, the governments of the provinces and territories of Canada and the governments of foreign countries or states,
 - (ii) all intergovernmental agreements, and
 - (iii) all relevant legislation pertaining to those policies, programs, activities and agreements;
- (c) shall be a party to the negotiation of all proposed intergovernmental agreements;
- (d) shall from time to time take such action as he considers necessary to initiate or maintain intergovernmental co-operation between the Government of Alberta and the Government of Canada, the government of a province or territory of Canada or any government of a foreign country or state;
- (e) shall establish and maintain all offices outside Alberta that are necessary for the performance of the functions of representatives of the Government of Alberta.

5. (1) Notwithstanding any other Act, an intergovernmental agreement to which this section applies is not binding on the Government of Alberta or any agency or official thereof unless

- (a) it is signed on behalf of the Government by the Minister of Federal and Intergovernmental Affairs, if the agreement is designated by the regulations as an agreement that is to be signed on behalf of the Government by the Minister of Federal and Intergovernmental Affairs only, or
- (b) it is signed on behalf of the Government by the Minister of Federal and Intergovernmental Affairs in addition to any other Minister of the Crown authorized by law to sign it, if the agreement is designated by the regulations as an agreement that is to be signed by the Minister of Federal and Intergovernmental Affairs in addition to another Minister of the Crown authorized by law to sign it, or
- (c) it is approved by the Minister of Federal and Intergovernmental Affairs, in any other case.

4. General responsibilities of the Minister.

5. Intergovernmental agreement will be either signed by or approved by the Minister, unless the agreement is of a class exempted from the application of the section.

(2) The Lieutenant Governor in Council may make regulations

- (a) designating the classes of intergovernmental agreements that are to be signed on behalf of the Government of Alberta by the Minister of Federal and Intergovernmental Affairs only;
- (b) designating the classes of intergovernmental agreements that are to be signed on behalf of the Government of Alberta by the Minister of Federal and Intergovernmental Affairs in addition to any other Minister of the Crown authorized by law to sign it;
- (c) designating the classes of intergovernmental agreements to which this section does not apply.

(3) Where under any Act a Minister of the Crown in right of Alberta is authorized to sign an intergovernmental agreement and the agreement is of a class designated by the regulations under subsection (2), clause (a) as one that is to be signed on behalf of the Government of Alberta by the Minister of Federal and Intergovernmental Affairs only, the Minister of Federal and Intergovernmental Affairs shall sign the agreement in place of that other Minister and with the same effect as if it were signed by that other Minister.

(4) No intergovernmental agreement shall be entered into or signed on behalf of the Government of Alberta or by or on behalf of a Minister, agency or official of the Crown in right of Alberta otherwise than in accordance with this section.

(5) Where under any Act an intergovernmental agreement requires the approval or authorization of the Lieutenant Governor in Council, the approval or authorization shall be given in accordance with this section, notwithstanding anything in that Act.

6. The member of the Executive Council who immediately prior to the commencement of this Act holds office as, and is designated by the Lieutenant Governor as, the Minister of Federal and Intergovernmental Affairs becomes the Minister of Federal and Intergovernmental Affairs under this Act without the necessity of a further designation by the Lieutenant Governor, the issue of a new commission or the swearing of another oath of office.

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

6. Transitional provision respecting the incumbent Minister.