

1972 Bill 82

First Session, 17th Legislature, 21 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 82

The Franchises Amendment Act, 1972

THE ATTORNEY GENERAL

First Reading

Second Reading

Third Reading

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1972

THE FRANCHISES AMENDMENT ACT, 1972

(Assented to _____, 1972)

H^{ER} MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. *The Franchises Act is hereby amended.*

2. *Section 1 is amended by adding the following clauses after clause 16:*

16.1 “salesman” means an individual who engages on behalf of a franchisor in negotiating or concluding a trade in a franchise;

16.2 “specified operative date” means the date specified by the regulations as the “specified operative date” for the purposes of sections 5 and 28;

3. *Section 5, subsection (1) is amended by striking out the words “February 1st, 1972,” and by substituting therefor the words “the specified operative date”.*

4. *Section 28 is amended by striking out the words “February 1st, 1972” and by substituting therefor the words “the specified operative date”.*

5. *Section 55 is amended by adding the following clause:*

9.1 specifying a date as the “specified operative date” for the purposes of sections 5 and 28,

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

Explanatory Notes

1. This Bill will amend chapter 38 of the Statutes of Alberta, 1971.

2. The new clause 16.2 and the related amendments in this Bill will permit flexibility in establishing an effective date for enforcement purposes.

The new clause 16.1 defines "salesman" to clarify the application of the registration requirements.

3. The effective date is changed. Section 5(1) reads:

5. (1) On or after February 1st, 1972, no person shall trade in a franchise in Alberta either on his own account or on behalf of any other person until there have been filed with the Commission both an application for registration in the prescribed form and a prospectus in respect to the offer of such franchise and until a receipt for the prospectus has been obtained from the Registrar.

This will allow more time for registration.

4. Section 28 reads:

28. On and after February 1st, 1972 no franchisor shall conclude a trade in any franchise without providing to the purchaser a statement of material facts, prospectus or amended prospectus in accordance with section 34.

5. Section 55 deals with the regulations to be made by the Lieutenant Governor in Council.