

1972 Bill 32

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Second Session, 17th Legislature, 21 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 32**

**The Public Health Amendment Act, 1973**

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DR. MCCRIMMON

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First Reading .....

Second Reading .....

Third Reading .....

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## BILL 32

1973

### THE PUBLIC HEALTH AMENDMENT ACT, 1973

(Assented to \_\_\_\_\_, 1973)

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

1. *The Public Health Act is hereby amended.*
2. *Section 3 is amended*
  - (a) *as to subsection (1), by striking out clause (b), and*
  - (b) *by inserting after subsection (1) the following subsection:*
    - (1.1) The Minister may appoint a member of the Provincial Board as a vice-chairman of the Board.
3. *Section 7, subsection (1) is amended*
  - (a) *by striking out the amendment made pursuant to section 10 of chapter 20 of the Statutes of Alberta, 1972,*
  - (b) *by inserting after clause 20 the following:*
    21. the cutting, manufacturing, storage, sale and distribution of ice;
  - (c) *by inserting after clause 23 the following clauses:*
    24. the responsibility of municipalities to provide potable water for the use of the public;
    25. the purity, protection and supervision of water supplied for the use of the public;
4. *Section 10 is amended*
  - (a) *as to subsection (1), by striking out clause (a), and*
  - (b) *by striking out subsections (5), (6) and (7).*
5. *Section 50, subsection (3) is amended by striking out the words "\$5 nor more than \$50" and by substituting therefor the words "\$50 nor more than \$500".*

## **Explanatory Notes**

**1.** This Bill will amend chapter 294 of the Revised Statutes of Alberta 1970.

**2.** Section 3 presently reads as follows:

3. (1) There shall be a Provincial Board of Health consisting of the following members, namely,

- (a) the Deputy Minister, who shall be chairman,
- (b) the Director of the Division of Pollution Control of the Department of the Environment, who shall be vice-chairman,
- (c) the Director of the Provincial Laboratory of Public Health, and
- (d) any other members appointed by the Lieutenant Governor in Council.

(2) The members of the Provincial Board appointed by the Lieutenant Governor in Council may be paid such remuneration as may be prescribed by the Lieutenant Governor in Council.

(3) In accordance with The Public Service Act there shall be appointed a Director of the Provincial Laboratory of Public Health.

**3.** These amendments will allow the Public Health Board to make regulations in respect of the enumerated items. The present section 7, subsection (1) has two clauses 20 and section 3, clauses (a) and (b) of this Bill will rectify the mistake.

**4.** The effect of this amendment is to remove the need for a plebiscite on a pasteurization by-law.

**5.** Section 50, subsections (1) and (3) presently read as follows:

50. (1) A person who contravenes any provision of this Act, or any order, rule or regulation made pursuant to this Act is guilty of an offence.

(3) A person who is guilty of an offence under subsection (1), if no penalty in respect of that offence is prescribed elsewhere in this Act or the regulations, rules or orders, is liable on summary conviction to a fine of not less than \$5 nor more than \$50 and in default of payment to imprisonment for a term of not more than three months.

6. *Section 51 is amended by striking out the words “\$1 nor more than \$10” and by substituting therefor the words “\$5 nor more than \$20”.*

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

**6. Section 51 presently reads:**

51. Where a person has been convicted of an offence under the provisions of this Act or of the regulations made under this Act, and

- (a) the offence is in the nature of an omission or neglect or is in respect of the existence of a nuisance or other unsanitary condition that it is the person's duty to remove,
  - (b) an executive officer of the local board, of the board of a full-time health unit or of the Provincial Board gives reasonable notice to the person to make good the omission or neglect or to remove the nuisance or unsanitary condition, and
  - (c) the person does not comply with the notice,
- the person is liable on summary conviction to a further fine of not less than \$1 nor more than \$10 for each day he remains in default after receipt of the notice and until he complies with the notice.