

1973 Bill 61

Second Session, 17th Legislature, 21 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 61

The Department of Consumer Affairs Act

THE MINISTER OF CONSUMER AFFAIRS

First Reading

Second Reading

Third Reading

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BILL 61

1973

THE DEPARTMENT OF CONSUMER AFFAIRS ACT

(Assented to _____, 1973)

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

1. In this Act "Minister" means the Minister of Consumer Affairs.

2. There shall be a department of the public service of the Province called the Department of Consumer 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 Consumer Affairs.

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

4. The Minister

- (a) is responsible for development and implementation of policies, programs, services and administrative procedures in matters pertaining to consumer protection;
- (b) may cause to be investigated complaints of practices that
 - (i) are in contravention of Acts for the protection of consumers, or
 - (ii) appear to be detrimental either to a business or to a consumer, or
 - (iii) are unethical business practices;
- (c) may compile, study and assess information directly or indirectly related to matters pertaining to consumer protection in order to carry out his functions and responsibilities under this or any other Act and with a view to providing such information, or the results of such study and assessment, to departments of the Government, government agencies and the public;

Explanatory Notes

- 1. Definition.**
- 2. Establishment of Department of Consumer Affairs.**
- 3. Deputy Minister and staff.**
- 4. Authority, duties and functions of Minister.**

- (d) may arrange for and assist in the representation of and on behalf of consumers before any tribunal whose decision or other action may materially affect the interests of consumers;
- (e) may do such other things as he considers necessary for the furtherance of consumer protection.

5. (1) The Minister may from time to time engage the services of persons having special technical or other knowledge to advise him or to inquire into and report to him on matters under the Minister's administration.

(2) A person whose services are engaged under this section may be paid such remuneration and expenses as the Minister may prescribe.

6. (1) The Minister may establish such boards, committees or councils as he considers necessary or desirable to act in an advisory capacity in connection with any of the policies, programs, services or other matters under his administration.

(2) The Minister may, with respect to any board, committee or council established under this section,

- (a) appoint or provide for the manner of appointment of its members,
- (b) prescribe the term of office of any member,
- (c) designate a chairman, vice-chairman and secretary, and
- (d) authorize, fix and provide for the payment of remuneration and expenses to its members.

(3) A board, committee or council established pursuant to this section may make rules of procedure, subject to the approval thereof by the Minister, governing the calling of meetings, the procedure to be used at and conduct of the meetings, reporting and such other matters as required.

(4) A board, committee or council established pursuant to this section may exercise such powers and shall perform such duties and functions as the Minister may approve, confer or impose upon it.

7. 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 Consumer Affairs becomes the Minister of Consumer 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.

5. Services of experts.

6. Boards, committees and councils.

7. Transitional.

8. *The Investment Contracts Act is amended as to section 2, subsection (1) by striking out clause (d1) and by substituting the following clause:*

- (d1) "Minister" means that member of the Executive Council charged for the time being by the Lieutenant Governor in Council with the administration of this Act;

9. *The Direct Sales Cancellation Act is amended as to section 6, subsection (3), clause (b) by striking out subclause (iii) and by substituting the following subclause:*

- (iii) to that member of the Executive Council charged for the time being by the Lieutenant Governor in Council with the administration of this Act.

10. *The Real Estate Agents' Licensing Act is amended as to section 2 by striking out clause (b) and by substituting the following clause:*

- (b) "Minister" means that member of the Executive Council charged for the time being by the Lieutenant Governor in Council with the administration of this Act;

11. *The Consumer Affairs Act is repealed on a date to be fixed by Proclamation.*

12. (1) This Act, except sections 8, 9 and 10, comes into force on the day upon which it is assented to.

(2) Sections 8, 9 and 10 come into force on June 1, 1973.

8. Consequential.

9. Consequential.

10. Consequential.

11. Repeal of The Consumer Affairs Act.