

1974 Bill 72

Third Session, 17th Legislature, 23 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 72

THE HEALTH AND SOCIAL DEVELOPMENT STATUTES
AMENDMENT ACT, 1974

THE MINISTER OF HEALTH AND SOCIAL DEVELOPMENT

First Reading

Second Reading

Third Reading

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1974

THE HEALTH AND SOCIAL DEVELOPMENT STATUTES AMENDMENT ACT, 1974

(Assented to _____, 1974)

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

The Alberta Hospital Association Act

1. (1) *The Alberta Hospital Association Act is amended by this section.*

(2) *Section 2, clause (a) is amended as to subclause (iii) by striking out the words "Provincial and Federal Departments of Health" and by substituting the words "Department of Health and Social Development and the Department of National Health and Welfare".*

(3) *Section 17 is struck out and the following section is substituted:*

17. Sections 116, 117, 118, 146 and 256 of *The Companies Act* do not apply to the Corporation.

The Health Unit Act

2. (1) *The Health Unit Act is amended by this section.*

(2) *Section 20, subsection (1) is amended by striking out all the words after clause (d) and by substituting the words "the Minister may, out of moneys appropriated by the Legislature for the purpose, pay grants to the local board of health of that city for general health services and dental services".*

The Hospital Visitors Committee Act

3. (1) *The Hospital Visitors Committee Act is amended by this section.*

(2) *Section 1 is amended*

(a) *as to clause (c),*

(i) *in subclause (ii) by striking out the words "The Mental Health Act" and by substituting the words "The Mental Health Act, 1972",*

(ii) *in subclause (v) by striking out the words "The Homes for the Aged Act" and by substituting the words "The Senior Citizens Housing Act",*

Explanatory Notes

1. (1) This section will amend chapter 22 of the Statutes of Alberta, 1948.

(2) Section 2, clause (a), subclause (iii) presently reads:

2. The Corporation shall have the following purposes and objects, that is to say:

- (a) To study, consider, discuss, accumulate and distribute information, and advice to the members of the Corporation regarding,—
- (iii) the co-relation of the work and aims of Alberta hospitals with those of the Provincial and Federal Departments of Health;

(3) To correct cross-references that pre-date the 1970 Statute Revision. Section 17 presently reads:

17. Sections 118, 119, 120, 130 and 237 of The Companies Act do not apply to the Corporation.

2. (1) This section will amend chapter 168 of the Revised Statutes of Alberta 1970.

(2) Section 20 (1) presently reads:

20. (1) Where

- (a) the Minister is of the opinion that a satisfactory public health service is being provided within a city having a population in excess of 100,000,
 - (b) the local board of health of that city provides to the Minister an annual report showing the public health work undertaken within the city together with an audited financial statement showing the cost thereof, and
 - (c) the local board of health, prior to the fifteenth day of August of the year immediately preceding the fiscal year to which the budget applies, provides the Minister with an annual budget of its estimated expenses for the fiscal year, and
 - (d) the budget is approved by the Minister,
- the Minister may, out of money appropriated by the Legislature for the purpose, pay grants to the city for general health services and dental services.

See amendments to The Public Health Act in this Bill which incorporates local boards of health in cities with 100,000 or more population. Those amendments will enable grants to be paid under section 20 to be paid directly to the incorporated local boards of health.

3. (1) This section will amend chapter 49 of the Statutes of Alberta, 1972.

(2) To correct a cross-reference.

- (b) *as to clause (e) by striking out the words "The Homes for the Aged Act" and by substituting the words "The Senior Citizens Housing Act".*

The Pharmaceutical Services (Alberta) Incorporated Act

4. (1) *The Pharmaceutical Services (Alberta) Incorporated Act is amended by this section.*

(2) *Section 14 is struck out and the following section is substituted:*

14. Sections 146 and 274 of *The Companies Act* do not apply to the corporation but sections 116 to 118 of that Act apply to the corporation.

The Preventive Social Services Act

5. (1) *The Preventive Social Services Act is amended by this section.*

(2) *Section 2 is struck out and the following section is substituted:*

2. In this Act,

- (a) "Minister" means the Minister of Health and Social Development;
- (b) "municipality" means
 - (i) a city, town, village, municipal district or county, or
 - (ii) the Minister of Municipal Affairs in respect of an improvement district or special area.

(3) *Section 5 is struck out and the following section is substituted:*

5. (1) The Minister may enter into agreements with municipalities for the establishment and operation of preventive social service programs.

(2) The Minister may enter into an agreement with a person other than a municipality for the establishment and operation of a preventive social service program within the area of one or more municipalities if

- (a) in his opinion extraordinary circumstances exist,
- (b) each municipality within whose area the program is to be established and operated consents to the agreement, and
- (c) no agreement has been made under subsection (1) with any municipality whose consent is required under clause (b).

4. (1) This section will amend chapter 70 of the Statutes of Alberta, 1966.

(2) To correct cross-references. Section 14 presently reads:

14. Sections 130 and 255 of The Companies Act do not apply to the corporation but sections 118 to 120 thereof apply to the corporation.

5. (1) This section will amend chapter 282 of the Revised Statutes of Alberta 1970.

(2) Section 2 presently reads:

2. In this Act "Minister" means the Minister of Health and Social Development.

(3) Section 5 presently reads:

5. The Minister may enter into such agreements with municipalities as he considers desirable with respect to the establishment and operation of preventive social service programs.

The Public Health Act

6. (1) *The Public Health Act is amended by this section.*

(2) *Section 10 is amended*

(a) *by striking out subsection (2) and by substituting the following subsection:*

(2) Subject to this section, the council of any municipality may pass a by-law for the purpose of requiring milk sold, offered for sale or delivered within the limits of the municipality to be pasteurized before being sold, offered for sale or delivered.

(b) *as to subsection (4) by striking out the words "city, town or village" and by substituting the word "municipality".*

(2) *The following section is added after section 32:*

32.1 (1) The Local board of health of a city having a population in excess of 100,000 is a corporation consisting of the members of the local board and with a name consisting of the name of the city followed by the words "Local Board of Health".

(2) A local board of health established as a corporation pursuant to this section, in addition to the powers given to it by section 14 of *The Interpretation Act*, has the power

(a) with the approval of the Minister, to acquire and alienate in any manner any estate or interest in real property, and

(b) to invest in any manner approved by the Minister any funds not required for immediate use.

The Vital Statistics Act

7. (1) *The Vital Statistics Act is amended by this section.*

(2) *Section 4 is amended by adding after subsection (8) the following subsections:*

(8.1) Notwithstanding anything in this section, the birth of a child may be registered showing

(a) the surname of the husband hyphenated or combined with the surname of the mother, where subsection (5) applies to the registration, or

(b) the surname of the person acknowledging himself to be the father, hyphenated or combined with the surname of the mother, where subsection (6) or (8) applies to the registration,

upon and in accordance with the joint request in writing of the mother and the husband or the person acknowledging, as the case may be.

(8.2) Where a request is made pursuant to subsection (8.1) after the registration of the birth, the Director may amend the registration in accordance with the request by making the necessary notation thereon.

8. *This Act comes into force on the day it is assented to.*

6. (1) This section will amend chapter 294 of the Revised Statutes of Alberta 1970.

(2) Section 10, subsections (2) and (4) presently read:

(2) Subject to the following provisions of this section, the council of any city, town or village of a population of three hundred or over may pass a by-law for the purpose of requiring milk sold, offered for sale or delivered within the limits of the city, town or village to be pasteurized before being so sold, offered for sale or delivered.

(4) No such by-law applies to milk brought into the city, town or village by the producer and sold by wholesale to a distributor, a milk processing plant, a creamery or a cheese factory, or to products of milk prepared in a plant and by methods approved by the Provincial Board.

(2) Local boards of health in cities of 100,000 or over are incorporated: see the amendments to The Health Unit Act in this Bill.

7. (1) This section will amend chapter 384 of the Revised Statutes of Alberta 1970.

(2) Section 4, subsections (5), (6) and (8) presently read:

(5) Except as provided in subsection (6), the birth of a child of a married woman shall be registered showing the surname of the husband as the surname of the child, and the particulars of the husband shall be given as those of the father of the child.

(6) Where a child is born to a married woman, if she files with the district registrar a statutory declaration that at the time of the conception she was living separate and apart from her husband, and that her husband is not the father of the child, no particulars as to the father shall be given in the statement required under subsection (2) unless the mother and a person acknowledging himself to be the father jointly so request in writing, in which case the particulars of the person so acknowledging may be given as the particulars of the father, or the birth may be registered showing the surname of the person so acknowledging as the surname of the child, or both; and, if the request is made after the registration of the birth, the Director may amend the registration in accordance with the request by making the necessary notation thereon.

(8) Where an unmarried woman who is the mother of a child and a person acknowledging himself to be the father jointly so request in writing, the particulars of the person so acknowledging may be given as the particulars of the father, or the birth may be registered showing the surname of the person so acknowledging as the surname of the child, or both; and, if the request is made after the registration of the birth, the Director may amend the registration in accordance with the request by making the necessary notation thereon.