

1975 Bill 17
(Second Session)

First Session, 18th Legislature, 24 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 17

THE DEPARTMENT OF CONSUMER AFFAIRS AMENDMENT
ACT, 1975

THE MINISTER OF CONSUMER AND CORPORATE AFFAIRS

First Reading

Second Reading

Third Reading

BILL 17

1975

(Second Session)

THE DEPARTMENT OF CONSUMER AFFAIRS AMENDMENT ACT, 1975

(Assented to _____, 1975)

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

PART 1

1. *The Department of Consumer Affairs Act is amended by this Part.*

2. *The title of the Act is struck out and the following is substituted therefor:*

THE DEPARTMENT OF CONSUMER AND CORPORATE AFFAIRS ACT

3. *Section 1 is amended by striking out the words "Minister of Consumer Affairs" and by substituting therefor the words "Minister of Consumer and Corporate Affairs".*

4. *Section 2 is amended*

(a) *by striking out the words "Department of Consumer Affairs" and by substituting therefor the words "Department of Consumer and Corporate Affairs", and*

(b) *by striking out the words "Minister of Consumer Affairs" and by substituting therefor the words "Minister of Consumer and Corporate Affairs".*

5. *Section 3 is amended*

(a) *by striking out the words "Deputy Minister of Consumer Affairs" and by substituting therefor*

Explanatory Notes

General. This Bill will implement changes in the functions of the Minister of Consumer and Corporate Affairs and in the name and function of the Department of Consumer Affairs resulting from the recent reorganization of the Government.

1. This part will amend chapter 22 of the Statutes of Alberta, 1973.

2. Changes the name of the Act.

3. Section 1 presently reads:

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

4. Section 2 presently reads:

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.

5. Section 3 presently reads:

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.

- the words "Deputy Minister of Consumer and Corporate Affairs", and*
- (b) *by striking out the words "Department of Consumer Affairs" and by substituting therefor the words "Department of Consumer and Corporate Affairs".*

6. The following section is added after section 6:

- 6.1** (1) The Minister may make grants if
- (a) he is authorized to do so by regulations under this section, and
 - (b) moneys are appropriated by the Legislature for that purpose or the grant is authorized to be paid pursuant to a special warrant.
- (2) The Lieutenant Governor in Council may make regulations
- (a) authorizing the Minister to make grants;
 - (b) prescribing the purposes for which grants may be made;
 - (c) governing applications for grants;
 - (d) prescribing the persons or organizations or classes of persons or organizations eligible for grants;
 - (e) specifying the conditions required to be met by any applicant for a grant to render that person eligible for the grant;
 - (f) prescribing the conditions upon which a grant is made and requiring the repayment thereof to the Government if the conditions are not met;
 - (g) providing for the payment of any grant in a lump sum or by instalments and prescribing the time or times at which the grant or the instalments may be paid;
 - (h) limiting the amount of any grant or class of grant that may be made;
 - (i) authorizing the Minister to delegate in writing to any employee of the Government any duty, power or function respecting the payment of any grant;
 - (j) requiring any person receiving a grant to account for the way in which the grant is spent in whole or in part;
 - (k) authorizing the Minister to enter into an agreement with respect to any matter relating to the payment of a grant.
- (3) Any regulation made under subsection (2) may be specific or general in its application.

7. Section 7 is struck out.

6. Grants.

7. Section 7 presently reads:

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.

PART 2

8. (1) A reference to the Minister of Consumer Affairs, the Deputy Minister of Consumer Affairs or the Department of Consumer Affairs in any statutory provision not amended by this Act or in any order, regulation, rule, by-law, agreement or other instrument shall be deemed to be a reference, respectively, to the Minister of Consumer and Corporate Affairs, the Deputy Minister of Consumer and Corporate Affairs and the Department of Consumer and Corporate Affairs.

(2) 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, Minister of Consumer and Corporate Affairs, becomes the Minister of Consumer and Corporate Affairs 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.

9. *The Cemeteries Act is amended by striking out the words "Attorney General" and by substituting therefor the words "Minister of Consumer and Corporate Affairs" wherever they occur in the following sections:*

section 2.1, subsection (2);

section 20, subsection (3);

section 35, subsection (2);

section 42;

section 44;

section 55, subsection (1);

section 60, clause 22;

section 61, subsections (2), (4) and (5) and subsection (7), clause (b);

section 62.1, subsection (4), clause (b), subclause (iii).

10. *The Companies Act is amended as to section 166, subsection (3) by striking out the words "Attorney General" and by substituting therefor the word "Minister".*

11. *The Franchises Act is amended*

(a) *as to section 1, subsection (1), clause 10, by striking out the words "Attorney General" and by substituting therefor the words "Minister of Consumer and Corporate Affairs",*

8. Transitional.

9. Consequential amendments to chapter 39 of the Revised Statutes of Alberta 1970.

10. Consequential amendments to chapter 60 of the Revised Statutes of Alberta 1970.

11. Consequential amendments to chapter 38 of The Statutes of Alberta, 1971.

- (b) *as to section 38, subsection (1), by striking out the words “Except with the consent of the Minister” and by substituting therefor the words “Except with the consent of the Attorney General”,*
- (c) *as to section 42, by adding after the words “to the Minister” the words “and to the Attorney General”,*
- (d) *as to section 45, by striking out the words “to the Minister, and the Minister may” and by substituting therefor the words “to the Minister and to the Attorney General, and the Minister, with the consent of the Attorney General, may”, and*
- (e) *as to section 49, subsection (4), by striking out the word “Minister” and by substituting therefor the words “Attorney General”.*

12. The Investment Contracts Act is amended as to section 42, subsection (1), by striking out the words “written consent of the Attorney General” and by substituting therefor the words “written consent of the Minister”.

13. The Mortgage Brokers Regulation Act is amended

- (a) *as to section 19, subsection (1), by striking out the words “to the Attorney General” and by substituting therefor the words “to the Minister of Consumer and Corporate Affairs and to the Attorney General”, and*
- (b) *as to section 19, subsection (2), by striking out the words “The Attorney General” and by substituting therefor the words “The Minister of Consumer and Corporate Affairs, with the consent of the Attorney General,”.*

14. The Securities Act is amended

- (a) *as to section 2, subsection (1), clause 12, by striking out the words “Attorney General” and by substituting therefor the words “Minister of Consumer and Corporate Affairs”,*
- (b) *as to section 22, by adding after the words “to the Minister” the words “and to the Attorney General”,*
- (c) *as to section 25, by striking out the words “to the Minister, and the Minister may” and by substituting therefor the words “to the Minister and to the Attorney General and the Minister, with the consent of the Attorney General, may”,*
- (d) *as to section 29, subsection (4), by striking out the word “Minister” and by substituting therefor the words “Attorney General”,*

12. Consequential amendments to chapter 191 of The Revised Statutes of Alberta 1970.

13. Consequential amendment to chapter 242 of the Revised Statutes of Alberta 1970.

14. Consequential amendment to chapter 333 of the Revised Statutes of Alberta 1970.

- (e) *as to section 137, subsection (1), by striking out the word "Minister" and by substituting therefor the words "Attorney General", and*
- (f) *as to section 142, subsection (1), by striking out the words "Except with the consent of the Minister" and by substituting therefor the words "Except with the consent of the Attorney General."*

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