

1975 Bill 18  
(Second Session)

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First Session, 18th Legislature, 24 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 18**

THE DEPARTMENT OF TELEPHONES AND UTILITIES  
AMENDMENT ACT, 1975

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THE MINISTER OF UTILITIES AND TELEPHONES

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First Reading .....

Second Reading .....

Third Reading .....

# BILL 18

1975

(Second Session)

## THE DEPARTMENT OF TELEPHONES AND UTILITIES AMENDMENT ACT, 1975

(Assented to \_\_\_\_\_, 1975)

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

### PART 1

1. *The Department of Telephones and Utilities Act is amended by this Part.*

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

#### THE DEPARTMENT OF UTILITIES AND TELEPHONES ACT

3. *Section 1 is amended*

(a) *by striking out clause (a) and by substituting therefor the following clause:*

(a) "Department" means the Department of Utilities and Telephones;

*and*

(b) *by striking out clause (c) and by substituting therefor the following clause:*

(c) "Minister" means the Minister of Utilities and Telephones;

4. *Section 2 is struck out and the following section is substituted therefor:*

**2.** There shall be a department of the public service of the Province called the Department of Utilities and Telephones 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 Utilities and Telephones.

5. *Section 3 is amended by striking out the words "Telephones and Utilities" and by substituting therefor the words "Utilities and Telephones".*

## **Explanatory Notes**

**General.** This Bill will implement changes in the name of the Department of Telephones and Utilities resulting from the recent re-organization of the Government.

**1.** This Part will amend chapter 68 of the Statutes of Alberta, 1973.

**2.** This amendment will change the name of the Act in accordance with the change in name of the Department.

**3.** The definition section will be changed to reflect the change in the name of the Minister and the Department.

**4.** This amendment will make the change in the department name and reflect the change in ministerial title.

**5.** Section 3 presently reads:

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

*6. Section 8 is struck out and the following section is substituted therefor:*

8. (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.

**6.** The grant section will be replaced by a new uniform grants section.

## PART 2

7. *The words "Minister of Telephones and Utilities" are struck out wherever they appear in the following enactments and the words "Minister of Utilities and Telephones" are substituted therefor:*

The Alberta Government Telephones Act, section 2, clause (b) and section 3;

The Companies Act, section 186, subsection (1);

The Co-operative Associations Act, section 41, subsection (5);

The Gas Protection Act, section 5.1;

The Municipal Government Act, section 170, subsection (3), and section 273.1, subsection (1);

The Municipal Telephone Act, section 3, subsections (2), (3) and (4);

The Natural Gas Rebates Act, section 1, clause (h);

The Pipe Line Act, section 9.1, subsections (1) and (2) and section 14.1;

The Rural Gas Act, section 1, clause (m);

The Rural Mutual Telephone Companies Act, section 2, clause (a);

The Rural Telephones Revolving Fund Act, section 2, clause (c) and section 3, subsection (2).

8. *The words "Department of Telephones and Utilities" are struck out wherever they occur in the following enactments and the words "Department of Utilities and Telephones" are substituted therefor:*

The Co-operative Associations Act, section 4, subsection (2), clauses (a) and (b);

The Municipal Telephones Act, section 3, subsection (2);

The Rural Gas Act, section 1, clause (d).

9. *A reference to the Minister of Telephones or the Minister of Telephones and Utilities or to the Department of Telephones and Utilities in any statutory provision not amended by this Act or in any order, regulation, rule, by-law, certificate of title, agreement or other instrument shall be deemed to be a reference to the Minister of Utilities and Telephones or to the Department of Utilities and Telephones, as the case may be.*

**7. Consequential amendments.**

**8. Consequential amendments.**

**9. References to the Minister or Department under a former name will be deemed to refer to the Minister or Department by the new name.**

*10. 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 Utilities and Telephones becomes the Minister of Utilities and Telephones 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.*

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



**10. Transitional provision.**