

1975 Bill 19
(Second Session)

First Session, 18th Legislature, 24 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 19

THE DEPARTMENT OF BUSINESS DEVELOPMENT AND
TOURISM ACT

THE MINISTER OF BUSINESS DEVELOPMENT AND TOURISM

First Reading

Second Reading

Third Reading

BILL 19

1975

(Second Session)

THE DEPARTMENT OF BUSINESS DEVELOPMENT AND TOURISM ACT

(Assented to _____, 1975)

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

1. In this Act,
 - (a) "Department" means the Department of Business Development and Tourism;
 - (b) "Minister" means the Minister of Business Development and Tourism.

2. There shall be a department of the public service of the Province called the Department of Business Development and Tourism 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 Business Development and Tourism.

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

4. (1) The Minister may from time to time engage the services of experts or 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.

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

Explanatory Notes

1. Definitions.

2. Department of Business Development and Tourism established.

3. Personnel.

4. Services of experts, etc.

5. Boards, committees and councils.

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

- (a) appoint or provide for the manner of the 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 its meetings and the conduct of business at its meetings.

(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.

6. (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;

6. Grants.

- (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. (1) The Lieutenant Governor in Council may make regulations providing for the guarantees by the Government of the repayment of principal and interest or principal or interest in respect of loans made for the purpose of undertaking, or developing projects directly beneficial to business development or to tourism within Alberta.

- (2) Regulations under subsection (1) may
 - (a) prescribe the procedure for the submission of applications for a Government guarantee of a loan, the form and content of the applications, and the conditions required to be met by the applicants to render them eligible for the guarantee;
 - (b) prescribe the terms and conditions upon which the guarantees are to be given;
 - (c) prescribe the duties and obligations of a person to whom a guaranteed loan is made during the period that his indebtedness is outstanding;
 - (d) prescribe the security to be given to the Government by applicants in consideration of the guarantee;
 - (e) define, for the purposes of this section, undertakings and developments constituting projects directly beneficial to business development or to tourism;
 - (f) classify projects defined under clause (e) and prescribe a maximum percentage or amount that may be guaranteed in respect of any class of project or any one project in a class;
 - (g) prescribe the types or classes of lending institutions in respect of whose loan guarantees may be given.

7. Guarantee regulations.

(3) A guarantee of a loan pursuant to the regulations under this section

(a) shall be in the form approved by the Provincial Treasurer, and

(b) may be executed on behalf of the Government by the Provincial Treasurer, the Deputy Provincial Treasurer or by any other person designated by the Provincial Treasurer,

and the signature on the guarantee by any person referred to in clause (b) is conclusive proof that the relevant provisions of the regulations have been complied with.

8. 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 Business Development and Tourism becomes the Minister of Business Development and Tourism 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. A reference to the Minister of Industry and Tourism or the Minister of Industry and Commerce, or to the Deputy Minister of Industry and Tourism or the Deputy Minister of Industry and Commerce, or to the Department of Industry and Tourism or the Department of Industry and Commerce 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 Business Development and Tourism, the Deputy Minister of Business Development and Tourism or the Department of Business Development and Tourism, as the case may be.

10. *The words "The Department of Industry and Commerce Act" are struck out wherever they appear in the following enactments and the words "The Department of Business Development and Tourism Act" are substituted therefor:*

The Fuel Oil Licensing Act, section 14, subsection (1), clause (d);

The Licensing of Trades and Businesses Act, section 12, clause (a).

11. *The Alberta Opportunity Fund Act is amended as to section 1, subsection (1), clause (h) by striking out the words "Minister of Industry and Commerce" and by substituting therefor the words "Minister of Business Development and Tourism".*

8. Transitional provision.

9. References to the Minister, Deputy Minister or Department under a former name will be deemed to be references to them by their new names.

10. Consequential amendments.

11. Consequential amendments.

12. *The words “Deputy Minister of Industry and Commerce” are struck out wherever they appear in the following enactments and the words “Deputy Minister of Business Development and Tourism” are substituted therefor:*

The Department of the Environment Act, section 10, subsection (1), clause (e);

The Energy Resources Conservation Act, section 19, subsection (1), clause (c).

13. *The Department of the Environment Act is amended as to section 11, subsection (2), clause (f) by striking out the words “Department of Industry and Commerce” and by substituting therefor the words “Department of Business Development and Tourism”.*

14. *The Department of Industry and Commerce Act is repealed.*

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

12. Consequential amendments.

13. Consequential amendments.

14. This Bill will repeal chapter 99 of the Revised Statutes of Alberta 1970.