

1976 Bill 25

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Second Session, 18th Legislature, 25 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 25**

THE ENERGY RESOURCES CONSERVATION AMENDMENT ACT,  
1976

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THE MINISTER OF ENERGY AND NATURAL RESOURCES

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First Reading .....

Second Reading .....

Third Reading .....

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# BILL 25

1976

## THE ENERGY RESOURCES CONSERVATION AMENDMENT ACT, 1976

(Assented to \_\_\_\_\_, 1976)

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

1. *The Energy Resources Conservation Act is hereby amended.*

2. *Section 1 is amended by adding the following clause after clause 4:*

5. "judge" means a judge of the Supreme Court of Alberta.

3. *Section 20, subsection (2) is amended by striking out the words "and at least once each year".*

4. *Section 26 is amended by striking out subsections (1) and (2) and by substituting therefor the following:*

**26.** (1) When upon the written authority of the Board, photographs have been taken of

- (a) any minutes, accounts or records of the Board that relate to transactions or events that have been concluded more than two years previously, or
  - (b) any papers, books, files, plans or other documents on record with or issued by or filed with the Board,
- and the films of those photographs have been certified as being films of the original minutes, accounts, records, papers, books, files, plans or other documents by a member of the Board or an employee duly authorized for the purpose by the Board, the original minutes, accounts, records, papers, books, files, plans or other documents may be destroyed forthwith under the direction and supervision of the member or employee of the Board.

(2) A print from any photographic film and a certificate of a member of the Board or an employee duly authorized for the purpose by the Board, certifying that the print is a

## Explanatory Notes

**1.** This Bill will amend chapter 30 of the Statutes of Alberta, 1971.

**2.** Definitions.

**3.** Section 20, subsection (2) presently reads:

(2) The Committee shall meet at the call of its chairman and at least once each year.

**4.** This section will clarify the meaning of section 26, subsections (1) and (2) which now read as follows:

26. (1) When, upon the written authority of the Board, photographs have been taken of any papers, books, files, plans or documents on record with the Board or of any minutes, accounts or records of the Board that relate to transactions that have been concluded more than two years previously, if the films of the photographs have been duly certified under the signature of a member of the Board or an employee duly authorized for the purpose by the Board, the papers, books, files, plans, minutes, accounts, records or other documents may be destroyed forthwith under the direction and supervision of the member or employee of the Board.

(2) A print from any such photographic film and a certificate under the signature of a member of the Board or an employee duly authorized for the purpose by the Board, certifying that the print is a print from the film and that the film was duly certified as a film of an original document in compliance with subsection (1), shall be admitted in evidence in all proceedings in which the original document of which the print is a photograph would be evidence.

print from a film of an original minute, account, record, paper, book, file, plan or other document and that that film has been certified in accordance with subsection (1), shall be admitted in evidence in all proceedings in which the original minute, account, record, paper, book, file, plan or other document would be admissible in evidence, without proof of the signature or authority of the member or employee to sign the certificate or of his appointment.

*5. The following section is added after section 32:*

**32.1** Where this or any other Act authorizes the Board to make or issue an order or direction and any person commences, undertakes or continues any activity

(a) for which that order or direction is required but has not been obtained, or

(b) which is in excess of or not in compliance with an order or direction made or issued by the Board,

the Board, in addition to any other action or proceeding it may be authorized to take, may apply to a judge for an order restraining that person, his employees or agents from continuing such activity, unless and until that person has obtained the required order or direction.

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

5. This section will authorize the Board to obtain a restraining order to prevent the continuation of any unauthorized activity.