

1976 Bill 30

Second Session, 18th Legislature, 25 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 30

THE DEPARTMENT OF EDUCATION AMENDMENT ACT, 1976

THE MINISTER OF EDUCATION

First Reading

Second Reading

Third Reading

BILL 30

1976

THE DEPARTMENT OF EDUCATION AMENDMENT ACT, 1976

(Assented to

1976,

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

1. *The Department of Education Act is hereby amended*

2. *Section 7, subsection (1) is amended*

(a) *by striking out clauses (a) and (l), and*

(b) *as to clauses (h), (i), (j), (k), (m) and (n) by striking out the words "early childhood service programs" wherever they occur and by substituting the words "early childhood services programs".*

3. *The following section is added after section 7:*

7.1 (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;

Explanatory Notes

1. This Bill will amend chapter 96 of the Revised Statutes of Alberta 1970.

Section 7, clauses (a) and (1) read as follows:

7. (1) The Minister may make regulations
- (a) for the apportionment and distribution of all money appropriated by the Legislature for the purpose of making grants towards education in Alberta,
 - (1) for the apportionment and distribution of all moneys appropriated by the Legislature for the purpose of making grants towards early childhood service programs,

3. Grants.

- (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 or organization 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.

4. *Section 8 is amended*

- (a) *by striking out subsection (1) and by substituting the following subsection:*

8. (1) In this section and in section 10, "private school" means a school that

- (a) provides instruction in courses, other than courses in an early childhood services program, which are prescribed or approved by the Minister, or
- (b) provides instruction to pupils excused from attendance at a school of a board under section 134 of *The School Act*,

but does not include a school operated by a board under *The School Act* or by the Government of Alberta or Government of Canada.

- (b) *as to subsection (2) by adding at the end thereof the words "or any class of private schools",*
- (c) *by striking out subsection (3) and by substituting the following subsections:*

(3) No person shall

- (a) operate a private school until it has been approved by the Minister, or
- (b) continue to operate a private school after the Minister has suspended or revoked his approval.

(3.1) The Minister may

- (a) approve or refuse to approve, or
- (b) suspend or revoke his approval of, a private school.

Section 8 presently reads:

8. (1) In this section "private school" means a school other than a school as defined in section 2 that offers or purports to offer instruction in courses prescribed or approved by the Minister or courses substantially the same.

(2) The Lieutenant Governor in Council may make regulations governing the establishment, administration, operation and management of private schools.

(3) No person shall operate a private school until it has been approved by the Minister.

(4) A person contravening the provisions of subsection (3) is guilty of an offence and liable on summary conviction to a fine not exceeding \$500.

5. Section 10, subsection (1) is amended by adding after the words "of a board" the words ", private school or early childhood services program".

6. (1) This Act, except section 2, clause (a) and section 3, comes into force on the day upon which it is assented to.

(2) Section 2, clause (a) and section 3 come into force on a date to be fixed by Proclamation.

5. Section 10, subsection (1) reads as follows:

- 10. (1) The Minister may appoint in writing a person to examine and inspect**
- (a) the financial condition, or**
 - (b) the administrative condition, or**
 - (c) any other matter connected with the management, administration or operation,**
- of a board and the person appointed by the Minister may examine, inspect and take copies of**
- (d) all books of record and account,**
 - (e) all bank books, and**
 - (f) any other papers, documents or thing**