

1976 Bill 33

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Second Session, 18th Legislature, 25 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 33**

THE CIVIL SERVICE ASSOCIATION OF ALBERTA REPEAL ACT

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MR. YOUNG

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First Reading .....

Second Reading .....

Third Reading .....

*Bill 33*  
*Mr. Young*

## **BILL 33**

1976

### **THE CIVIL SERVICE ASSOCIATION OF ALBERTA REPEAL ACT**

*(Assented to* , 1976)

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

**1. In this Act**

- (a) "Association" means The Civil Service Association of Alberta constituted by *The Civil Service Association of Alberta Act*;
- (b) "Union" means The Alberta Union of Provincial Employees incorporated under *The Societies Act*.

**2. Upon this Act coming into force**

- (a) all chattels, contracts, rights, assets, liabilities and property of every kind owned, held, incurred or used by the Association, including any branch and sub-branch thereof, are hereby transferred from the Association and vested in the Union;
- (b) the interest, rights, duties and obligations of the Association under
  - (i) any agreement, as defined in *The Public Service Act*, and
  - (ii) any agreement, as defined in *The Crown Agencies Employee Relations Act*,are hereby transferred from the Association and vested in the Union;
- (c) any proceedings taken by or against the Association
  - (i) pursuant to *The Public Service Act* or *The Crown Agencies Employee Relations Act*, or
  - (ii) at law,shall continue in the name of or against the Union and any interest, right, duty and obligation from the proceedings that, but for this Act, would have vested in the Association is hereby vested in the Union;
- (d) all persons who are members of the Association become members of the Union and cease to be members of the Association;

## **Explanatory Notes**

**Definitions.**

**Transfer of assets and liabilities from the Association to the**

- (e) the members of the Provincial Executive and the members of the Finance Committee, the Legislative Committee, the Membership Services Committee, the Discipline Committee and the Bargaining Committees of the Association become respectively the members of the same Committees of the Union and hold office pursuant to the by-laws of the Union;
- (f) the Executive Officers and employees of the Association become respectively the Executive Officers and employees of the Union;
- (g) the Association is dissolved.

**3.** Any reference to The Civil Service Association of Alberta in any statutory provisions not amended by this Act or any order, direction, notice, regulation, rule, by-law, certificate of title, agreement or other instrument shall be deemed to be a reference to The Alberta Union of Provincial Employees.

**4.** (1) An annual general meeting or convention of duly elected delegates of the Union shall be deemed to be an annual general meeting of the members of the Union for the purposes of section 25 of *The Societies Act*.

(2) Where a resolution is passed by a majority of not less than three-fourths of such delegates entitled to vote as are present in person or, where proxies are allowed, by proxy at an annual general meeting referred to in subsection (1), and where notice specifying the intention to propose a resolution as an extraordinary resolution has been duly given, the resolution shall be deemed to be an extraordinary resolution for the purposes of *The Societies Act*.

**5.** Notwithstanding section 12 of *The Societies Act*, where the Registrar of Companies issues a certificate of incorporation with respect to the Union, the certificate of incorporation shall be deemed to have been issued at the same time and on the same day that this Act comes into force.

**6.** *The Crown Agencies Employee Relations Act* is amended as to section 2 by striking out clause (b) and substituting the following clause:

- (b) "Association" means The Alberta Union of Provincial Employees incorporated under *The Societies Act* or, where authority to negotiate is delegated to it, a branch of the Union;

**3. References to the Association deemed to be references to the Union.**

**4. Self-explanatory.**

**5. Effect of certificate of incorporation.**

**6. Section 2, clause (b) of The Crown Agencies Employee Relations Act presently reads:**

**2. In this Act,**

**(b) "Association" means The Civil Service Association of Alberta or, where authority to negotiate is delegated to it, a branch of the Association;**

**7.** *The Public Service Act is amended as to section 2 by striking out clause (b) and substituting the following clause:*

(b) "Association" means The Alberta Union of Provincial Employees incorporated under *The Societies Act*;

**8.** *The Public Service Pension Act is amended as to section 3, subsection (1), clause (b), subclause (i) by striking out the words "The Civil Service Association of Alberta" and substituting the words "The Alberta Union of Provincial Employees incorporated under The Societies Act".*

**9.** *The Civil Service Association of Alberta Act is hereby repealed.*

**10.** This Act comes into force on a date or dates to be fixed by Proclamation.

**7. Section 2, clause (b) of The Public Service Act presently reads:**

2. In this Act,  
(b) "Association" means The Civil Service Association of Alberta;

**8. Section 3, subsection (1), clause (b), subclause (i) of The Public Service Pension Act reads:**

3. (1) This Act shall be administered by a board to be known as the Public Service Pension Board which shall consist of  
(b) not less than four other members to be appointed by the Lieutenant Governor in Council,  
(i) one of whom shall be nominated by The Civil Service Association of Alberta, and

**9. Repeals chapter 11 of the Statutes of Alberta, 1968.**