

1976 Bill 52

Second Session, 18th Legislature, 25 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 52

THE MANPOWER DEVELOPMENT ACT

THE MINISTER OF ADVANCED EDUCATION AND MANPOWER

First Reading

Second Reading

Third Reading

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BILL 52

1976

THE MANPOWER DEVELOPMENT ACT

(Assented to _____, 1976,

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

1. (1) In this Act,

- (a) "apprentice" means a person
 - (i) who is at least 16 years of age, and
 - (ii) who enters into a contract of apprenticeship in accordance with Part 3 under which he is to receive from or through his employer instruction and continuous employment based on the amount of work available in a designated trade;
- (b) "Board" means the Alberta Apprenticeship and Trade Certification Board;
- (c) "Director" means the Director of Apprenticeship and Trade Certification;
- (d) "employer" for the purposes of sections 24, 26 and 30 means a person or unincorporated group of persons to whom an apprentice is or is proposed to be bound in accordance with this Act, and who is responsible for the instruction and remuneration of the apprentice in a designated trade;
- (e) "manpower programs and services" includes
 - (i) information, counselling, planning and testing services to assist individuals in making choices of careers and occupations and to assist individuals in manpower training;
 - (ii) employment placement services;
 - (iii) manpower mobility services for the purpose of identifying locations inside or outside Alberta where recruitment of individuals in desired occupations may be successful, assisting employers in Alberta who desire to recruit em-

Explanatory Notes

1. Definitions.

ployees inside or outside Alberta, and providing information and assistance to individuals inside or outside Alberta who desire employment in Alberta;

- (iv) manpower training, including training under Part 3;
- (v) voluntary and compulsory certification of individuals engaged in trades designated under Part 3;
- (vi) certification of the competence of individuals engaged in occupations other than trades designated under Part 3;
- (vii) special manpower programs and projects for individuals who are without employment or in employment unsuitable to their capacities;
- (viii) consultative and advisory services;
- (f) "Minister" means the Minister of Advanced Education and Manpower;
- (g) "term of apprenticeship" means the interval of time established by regulation that an apprentice is required to serve from entry into to completion of an apprenticeship contract;
- (h) "trade" includes industry, trade, craft or business and any branch thereof;
- (i) "updating course" means a special course of training for certified tradesmen whose skill and knowledge have become inadequate due to innovations and developments in their designated trade;
- (j) "upgrading course" means a special course of training established for the purpose of supplementing the technical knowledge of candidates eligible for examination under the provisions of Division 2 or 3 of Part 3.

(2) In Part 2, "designated trade" means a trade designated under any Division of Part 3.

PART 1

MANPOWER PROGRAMS AND SERVICES

2. (1) The Minister shall provide a comprehensive range of manpower programs and services.

(2) The Minister is responsible for programs and services of the Government of Alberta relating to immigration to Alberta.

3. The Minister may, on behalf of the Government of Alberta, enter into agreements relating to demographic matters and to immigration programs and services

- (a) with the Government of Canada or the government of a province or territory of Canada, upon the approval of the Lieutenant Governor in Council, or
- (b) with any municipal corporation, agency, organization or other person.

2. Minister's duties.

3. Agreements.

PART 2
ADMINISTRATION

4. In accordance with *The Public Service Act* there shall be appointed a Director of Apprenticeship and Trade Certification and such other employees as are necessary for carrying out the provisions of this Act.

5. The Director may delegate any of his powers, duties or functions under this Act to any officer or employee of the Department of Advanced Education and Manpower.

6. (1) There shall be a board known as the Alberta Apprenticeship and Trade Certification Board consisting of the Director and the following members appointed by the Lieutenant Governor in Council:

- (a) a chairman,
- (b) not less than three members representing employers and an equal number of members representing employees,
- (c) one alternate member representing employers and one alternate member representing employees who may act in the absence of members representing their respective classes, and
- (d) additional members representative of the general public.

(2) The Board shall advise the Minister on all matters affecting the general conditions governing trade training and certification of workers in designated trades.

(3) The members of the Board other than the Director shall be paid remuneration for their services and allowances for their expenses necessarily incurred in the performance of their duties at a rate fixed by the Lieutenant Governor in Council.

7. (1) The term of office of each Board member shall be specified in the order for his appointment.

(2) The chairman

- (a) shall be appointed for a term not exceeding five years, and
- (b) may be re-appointed.

(3) Members appointed under section 6, subsection (1), clause (b) shall be appointed for a maximum of three years with terms of appointment so arranged that one member from each class shall be re-appointed or replaced each year.

(4) No member representing employers or employees may serve for more than two terms.

4. Director and staff.

5. Delegation of authority of Director.

6. Board.

7. Term of office.

(5) When for any reason a vacancy on the Board occurs, the Minister shall appoint another person to fill the vacancy for the remainder of the term of the member so replaced.

(6) Notwithstanding any vacancy, the Board may continue to function as though all positions were filled.

8. (1) Subject to subsection (2), only members of the Board representing employers and employees have the right to vote on any matter before the Board.

(2) The chairman of the Board may vote only in the event of a tie vote.

(3) The chairman and a majority of voting members then holding office constitute a quorum at a meeting of the Board.

(4) The Board may from time to time hold public meetings to obtain opinions and recommendations from employers, employees, organizations and the general public on matters relating to its responsibilities under this Act.

9. (1) The Board may appoint a Local Advisory Committee for any designated trade in any area of Alberta which it specifies as being one where activity relating to that trade is substantial.

(2) A Local Advisory Committee shall consist of not less than three members and shall include

(a) the Director, who shall act as chairman,

(b) not less than one member representing employers and an equal number of members representing employees,

(c) one alternate member representing employers and one alternate member representing employees who may act in the absence of members appointed under clause (b) in the class which they represent, and

(d) any additional members recommended by the Director and approved by the Board.

(3) Members representing employers or employees on a Local Advisory Committee shall be persons currently associated with and knowledgeable about the designated trade.

(4) Local Advisory Committee members other than the Director shall be paid remuneration for their services and allowances for expenses necessarily incurred in the performance of their duties at a rate fixed by the Lieutenant Governor in Council.

8. Conduct of business of the Board.

9. Local Advisory Committee.

10. Members of a Local Advisory Committee shall be appointed for terms specified by the Board which shall be so arranged as to provide for periodic replacement of members.

11. (1) Subject to subsection (2), only members representing employers or employees have the right to vote on any matter before the Local Advisory Committee.

(2) The chairman of a Local Advisory Committee may vote only in the event of a tie vote.

(3) Meetings of a Local Advisory Committee shall be held at the call of the chairman.

(4) The chairman shall call not less than three meetings in each 12-month period following the appointment of the Local Advisory Committee.

(5) The chairman and a majority of voting members then holding office constitute a quorum at a meeting of the Committee.

(6) A Local Advisory Committee shall, with respect to the designated trade for which it was appointed,

- (a) assist and advise the Director in matters relating to apprenticeship training and certification in its area;
- (b) hear complaints by and disputes between apprentices, employees and employers pertaining to apprenticeship training and certification in its area;
- (c) if it is unable to resolve a complaint or dispute by direct consultation with the parties involved, make recommendations to the Director with respect thereto;
- (d) prepare and submit recommendations for consideration by the Provincial Advisory Committee.

12. (1) A Provincial Advisory Committee shall be established by the Board for each designated trade and shall include

- (a) the Director, who shall be chairman,
- (b) Local Advisory Committee members for that trade, and
- (c) additional members appointed by the Board on the recommendation of the Director.

(2) Provincial Advisory Committee members shall be paid remuneration for their services and allowances for expenses necessarily incurred in the performance of their duties at a rate fixed by the Lieutenant Governor in Council.

10. Term of office.

11. Voting, meetings and duties of a Local Advisory Committee.

12. Provincial Advisory Committees.

(3) Members of Provincial Advisory Committees appointed under the provisions of section 13, subsection (1), clause (c) shall be appointed for terms specified by the Board and so arranged as to provide for periodic replacement of members.

13. (1) Subject to subsection (2), only members representing employees or employers on a Local Advisory Committee are entitled to vote on any matter before a Provincial Advisory Committee.

(2) The chairman may vote only in the event of a tie vote.

(3) Provincial Advisory Committee meetings shall be held at the call of the chairman on a basis of not less than one meeting every two years.

(4) The chairman and a majority of voting members then holding office constitute a quorum at a meeting of the Committee.

14. A Provincial Advisory Committee shall

- (a) make recommendations to the Board with respect to
 - (i) any matters pertaining to apprenticeship or other trade training and certification under this Part, and
 - (ii) trade regulations for the designated trade for which it was appointed;
- (b) review the training programs and certification requirements of the trade for which it was appointed and make recommendations to the Director for such revisions as are needed to maintain relevance and effectiveness;
- (c) develop and approve policies of accreditation where training programs in the educational system, armed forces or other occupational preparation systems can be shown to meet the skill and knowledge requirements of a specific apprenticeship program.

15. (1) All documents required to be issued or kept by this Act or the regulations shall be approved by the Board.

(2) All documents approved under subsection (1) are the property of the Government and shall be used in accordance with the regulations.

16. For the purpose of administering this Act, the Director or any authorized representative of the Director may

13. Conduct of business of the Committee.

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14. Duties of Provincial Advisory Committees.

15. Documents.

16. Inspection authority.

- (a) enter upon any place at any reasonable time for the purpose of performing any duty assigned to him under the authority of this Part;
- (b) require an employer to disclose
 - (i) payroll records, or
 - (ii) job classifications, or
 - (iii) the kind of work, or
 - (iv) the qualifications, of any of his employees who are or may be working in a designated trade.

17. (1) Any person affected by a decision or order of the Director under this Act may, within 30 days from the date the decision or order is made, appeal in writing to the Board.

(2) Where the Board receives an appeal under subsection (1), it shall fix a date, time and place to hear the appeal.

(3) The Board shall notify all parties concerned in the appeal of the date, time and place of the hearing.

(4) The Board shall hear and dispose of the appeal within 90 days after the appeal is filed with the Board and shall in writing notify the parties thereto of its decision which is final.

(5) In the hearing of an appeal the Director shall not sit as a Board member but he or his agent is entitled to appear and be heard with respect to the decision or order concerned.

17. Appeals.

**TRAINING AND CERTIFICATION
OF WORKERS ENGAGED IN TRADES**

Division 1

Apprenticeship and Trade Training

18. In this Division, "designated trade" means a trade designated under section 19.

19. (1) The Lieutenant Governor in Council may from time to time designate by order any trade therein described as a trade to which this Division applies, whether or not a petition is received under section 20 or an investigation is made under section 21.

(2) Designation of a trade under this Division shall be deemed to include designation under Division 2 unless the trade is also specifically designated under Division 3.

20. Upon receipt by the Minister of

- (a) a petition signed by a representative number of employers or a representative number of employees in any trade, or
- (b) a joint petition signed by a representative group of employers and a representative group of employees in any trade,

asking to have that trade designated as a trade to which this Division applies, the Minister may refer the petition to the Board and the Board shall thereupon arrange for any investigation it considers necessary to determine

- (c) whether the persons signing the petition represent a trade,
- (d) whether the persons signing the petition constitute a representative number or group of employers or employees in a trade, and
- (e) whether a trade is suitable for designation under this Division,

and shall report thereon to the Minister.

21. The Minister may instruct the Board to arrange for an investigation into any trade for the purpose of determining whether the trade should be designated as a trade to which this Division applies or whether a designation of a trade under this Division should be rescinded.

22. Subject to the regulations, the Director shall provide for and maintain

- (a) a register of every apprenticeship contract,

18. Definition.

19. Designation for training.

20. Petition for designation.

21. Investigation initiated by Minister.

22. Duties of Director.

- (b) a separate file for each current apprenticeship contract, and
- (c) a record of all transfers, cancellations, terminations and completions of each contract.

23. No person may be engaged in any designated trade in any capacity other than as a journeyman, unless that person

- (a) has filed with the Director a subsisting application for apprenticeship in the prescribed form, or
- (b) is an apprentice whose contract is registered under the provisions of this Division, or
- (c) holds a special authorization issued by the Director.

24. (1) No person shall enter into a contract of apprenticeship in a designated trade except in accordance with this Division.

(2) Every contract of apprenticeship shall be in a form prescribed by the Director and approved by the Board.

(3) Every contract of apprenticeship shall be signed by

- (a) the prospective apprentice and, if he is a minor, by a parent or guardian of the prospective apprentice,
- (b) the employer, and
- (c) the Director.

25. (1) The Director, on the recommendation of the Local Advisory Committee for a designated trade, may grant to an apprentice in that trade credit for previous training and experience in the designated trade but at no time shall the term of contract of apprenticeship be less than the minimum period prescribed by the regulations for that trade.

(2) The Director may grant credit to an apprentice in a designated trade on the basis of policies of accreditation approved by the Provincial Advisory Committee for that trade.

26. (1) When a contract of apprenticeship is required under the provisions of this Division, the employer and the prospective apprentice are jointly responsible to apply forthwith, upon commencement of work by the prospective apprentice in a designated trade, for a contract of apprenticeship.

(2) If the application is rejected, an explanatory statement shall be forwarded forthwith to the applicants.

23. Compulsory participation.

24. Apprenticeship contracts.

25. Credits.

26. Apprenticeship application.

(3) If the application is approved, a contract of apprenticeship shall, within 60 days, be forwarded to the parties concerned for execution.

(4) Upon receipt of the contract the employer shall, within 30 days,

- (a) submit the signed contract to the Director for registration, or
- (b) return the unsigned contract, if the person is no longer engaged by him in the trade.

27. (1) A contract of apprenticeship may be terminated by the Director

- (a) where he is satisfied there has been
 - (i) any contravention of this Act or the regulations, or
 - (ii) any breach of any term of the contract, or
- (b) by agreement of the apprentice and the employer, or
- (c) upon the recommendation of the Local Advisory Committee, if the Committee is satisfied that good and sufficient reason has been shown by the employer or apprentice and no agreement to terminate the contract has been reached.

(2) Where the terms of the contract of apprenticeship cannot be fulfilled or the contract is terminated under subsection (1), the Director may, if circumstances warrant, arrange for the contract to be transferred to another employer and arrange

- (a) for the assignment to the new employer of any remaining benefits and obligations under the contract, or
- (b) for the making of a new contract between the apprentice and the new employer in substitution for the contract terminated and in terms as nearly as possible similar thereto and taking into account any benefits received under the former contract.

(3) Notwithstanding subsection (2), the transfer of a contract of apprenticeship to a new employer is not effective until it is approved by the Director and a copy of the assignment or of the new contract, as the case may be, is registered with the Director.

28. The provisions of *The Alberta Labour Act, 1973* apply to apprentices but where the terms of a collective agreement provide any terms of employment of an apprentice that are less advantageous for an apprentice than those established by the regulations of the Board, the terms established by the regulations apply in substitution for those less advantageous terms of the agreement.

27. Termination of contract.

28. Application of The Alberta Labour Act, 1973.

29. (1) Upon the recommendation of the Director, the Board may approve and provide for the implementation of

- (a) prerequisite courses for those workers who fail to meet established entrance requirements for apprenticeship in designated trades, or
- (b) upgrading courses.

(2) The Minister, upon the recommendation of the Board, may approve and provide for the implementation of updating courses.

30. (1) The Lieutenant Governor in Council may make general regulations governing the following matters common to all trades designated under this Division:

- (a) the criteria to be considered by the Board when conducting investigations with respect to petitions for the designation of trades;
- (b) the procedures necessary for the administration of apprenticeship and trade training programs;
- (c) eligibility requirements for prospective apprentices;
- (d) contractual obligations of apprentices and employers;
- (e) matters relating to the contents, registration and transfer of contracts of apprenticeship;
- (f) matters relating to the content and use of record or progress books;
- (g) the issuance of Certificates of Completion of Apprenticeship;
- (h) educational improvement courses;
- (i) any matter which by virtue of its consistent inclusion in all regulations pertaining to particular trades has become common to all designated trades;
- (j) examination of apprentices;
- (k) any fees payable to the Government under this Division.

29. Prerequisite, upgrading and updating courses.

30. Regulations.

(2) The Minister may, with respect to a designated trade, make regulations:

- (a) establishing the qualifications of persons who may become apprentices;
- (b) fixing the maximum ratio of journeymen to apprentices in Alberta to be allowed to an employer;
- (c) fixing the term of apprenticeship to be served;
- (d) governing the establishment of and issue to each apprentice of an official record of progress;
- (e) subject to the provisions of *The Alberta Labour Act, 1973*, fixing the hours of work and rates of wages for apprentices;
- (f) governing the instruction and practical training to be given an apprentice by the employer;
- (g) governing the course of school training to be given apprentices;
- (h) prescribing the nature and number of instructional classes to be attended by apprentices;
- (i) providing for the issue of a certificate of completion of apprenticeship to every apprentice who satisfactorily serves the prescribed term of apprenticeship and completes his school training to the satisfaction of the Board;
- (j) prescribing the qualifications of persons who may become eligible for educational improvement courses arranged by the Board in any subject;
- (k) prescribing the nature, length and content of educational improvement courses;
- (l) prescribing the qualifications of persons who may become eligible for upgrading courses;
- (m) prescribing the nature, length and content of upgrading courses;
- (n) prescribing the qualifications of persons who may become eligible for updating courses;
- (o) prescribing the nature, length and content of updating courses.

31. The Director may authorize technical training of persons in a designated trade by persons other than qualified tradesmen.

Division 2

Voluntary Certification of Tradesmen

32. In this Division, "designated trade" means a trade designated under section 33.

31. Training in special situations.

31

32. Definition.

33. The Minister, on the recommendation of the Board, may from time to time designate by order any trade therein as a designated trade to which this Division applies whether or not a petition is received under section 34 or an investigation is made under section 35.

34. Upon receipt by the Minister of

- (a) a petition signed by a representative number of employers or a representative number of employees in any trade, or
- (b) a joint petition signed by a representative group of employers and a representative group of employees in any trade,

asking to have that trade designated as a trade to which this Division applies, the Minister may refer the petition to the Board and the Board shall thereupon arrange for such investigation as it considers necessary to determine

- (c) whether the persons signing the petition represent a trade,
- (d) whether the persons signing the petition constitute a representative number or group of employers or employees in a trade, and
- (e) whether a trade is suitable for designation under this Division,

and shall report thereon to the Minister.

35. (1) The Minister may instruct the Board to arrange for an investigation into any trade for the purpose of determining whether a trade should be designated as a trade to which this Division applies, or whether a designation of a trade under this Division should be rescinded.

(2) The designation of a trade under this Division may not be rescinded while the trade is also designated under Division 1 unless designation under this Division is replaced by designation under Division 3.

36. When a trade is designated under this Division, the Director, upon the recommendation of a Local Advisory Committee, may issue certificates to persons who at that time, through experience and general competence, are recognized by the Committee as skilled tradesmen in that trade.

37. (1) The Lieutenant Governor in Council may make general regulations governing the following matters common to all trades designated under this Division:

- (a) the criteria to be considered by the Board when conducting investigations with respect to petitions for designation of trades under this Division;

33. Designation for voluntary certification. This Division applies for the examination of persons employed in trades designated under this Division, the establishment of standards for such examinations and the issuance of Certificates of Qualification to persons who meet the established standards.

34. Petition of designation.

35. Investigation initiated by Minister.

36. Certification of persons at time of designation.

37. Regulations.

- (b) the procedures necessary for administration of the certification program;
 - (c) fees payable for services provided by the Director;
 - (d) examinations;
 - (e) eligibility of Alberta apprenticeship graduates with Certificates of Completion of Apprenticeship or of other persons to receive a Certificate of Proficiency without examination;
 - (f) any matter which by virtue of its consistent inclusion in all regulations pertaining to particular designated trades has become common to all designated trades;
 - (g) upgrading courses;
 - (h) updating courses.
- (2) The Minister may, with respect to a designated trade, make regulations:
- (a) providing for the appointment of examination committees;
 - (b) prescribing the period of validity of Certificates of Qualification;
 - (c) providing for
 - (i) the cancellation or suspension of Certificates of Qualification for cause, and
 - (ii) the periodic renewal of Certificates of Qualification;
 - (d) establishing the eligibility requirement of tradesmen wishing to be examined;
 - (e) providing
 - (i) for issuance of appropriate classes of Certificates of Qualification,
 - (ii) for issuance of Certificates of Qualification without examination to the holders of certificates issued by other agencies or provinces of

Canada which it considers as being equivalent of the Certificate of Qualification issued under this Division, and

(iii) for reciprocal certification agreements between Alberta and other provinces in trades designated under this Division.

(3) The Board, on the recommendation of the appropriate Provincial Advisory Committee or examination committee for a designated trade, may prescribe

- (a) the nature, scope and extent of examinations,
- (b) the standards of achievement to be attained by persons upon examination before the issuance of Certificates of Qualification, and
- (c) the conditions for issuance of Certificates of Qualification,

for that trade.

Division 3

Compulsory Certification of Tradesmen

38. In this Division, "designated trade" means a trade designated under section 39.

39. In the interest of public protection or general safety the Lieutenant Governor in Council may from time to time designate by order any trade therein described as a trade to which this Division applies whether or not a petition is received under section 40 or an investigation is made under section 41.

40. Upon receipt by the Minister of

- (a) a petition signed by a representative number of employers or a representative number of employees in any trade, or
- (b) a joint petition signed by a representative group of employers and a representative group of employees in any trade, or
- (c) a petition from members of the general public, the Minister may refer the petition to the Board and the Board shall thereupon arrange for such investigation as it considers necessary to determine
- (d) whether the persons signing the petition represent a trade,
- (e) whether the persons signing the petition constitute a representative number or group of employers or employees in a trade, and
- (f) whether a trade is suitable for designation under this Division,

and shall report thereon to the Minister.

38. Application.

39. Designation for compulsory certification. This Division authorizes the designation of trades as occupations in which all persons engaged therein are required to hold valid Certificates of Proficiency or be established as trainees in a specified program of training. It also provides for the examination of eligible persons employed in trades designated under this Division, the establishment of standards for examinations and the issuance of Certificates of Proficiency to persons who meet the established standards.

40. Petition for designation.

41. The Minister may instruct the Board to arrange for an investigation into any trade for the purpose of determining whether the trade should be designated as a trade to which this Division applies or whether a designation of a trade under this Division should be rescinded.

42. (1) When a trade is designated as one to which this Division applies, a person who is working in the trade at the time the designation comes into force shall within one year from that time apply to the Director for a Certificate of Proficiency.

(2) Pursuant to subsection (1), a Certificate of Proficiency in a designated trade may be issued without an examination to any person who

- (a) is the holder of a certificate of Completion of Apprenticeship for that trade, or
- (b) is the holder of a Certificate of Qualification for that trade, or
- (c) satisfies the Director and the Local Advisory Committee or examination committee for the designated trade that he has been employed in that trade for a length of time not less than that specified in the regulations and has demonstrated his competence in that trade.

(3) Any person who does not qualify for a Certificate of Proficiency under subsection (2) shall register in an approved training program for that trade prescribed by the regulations.

43. (1) No person shall engage in any designated trade unless that person is

- (a) the holder of a subsisting Certificate of Proficiency for that trade, or
- (b) exempt under the provisions of section 46.

(2) Notwithstanding subsection (1), where a particular task comes within the description of more than one trade, a person holding a Certificate of Proficiency in any one of those trades may perform that particular task.

44. No employer or other person shall authorize or require any employee or other person to undertake any work in a designated trade if by so doing that employee or other person would contravene the provisions of section 43.

45. (1) The Lieutenant Governor in Council may make general regulations governing the following matters common to all trades designated under this Division:

41. Investigation initiated by Minister.

42. Certification of persons at the time of trade designation.

43. Compulsory certification.

44. Offence.

45. Regulations.

- (a) the criteria to be considered by the Board when reviewing petitions for designation of trades;
 - (b) the procedures necessary to the administration of the certification program;
 - (c) any fees payable to the Government under this Division;
 - (d) examinations;
 - (e) eligibility of Alberta apprenticeship graduates with Certificates of Completion of Apprenticeship or of other persons to receive a Certificate of Proficiency without examination;
 - (f) any matter which by virtue of its consistent inclusion in all regulations pertaining to particular designated trades has become common to all designated trades.
- (2) The Minister may, with respect to a designated trade, make regulations:
- (a) providing for the appointment of examination committees;
 - (b) providing that specified certificates issued with respect to a designated trade by any other body or person are Certificates of Proficiency for the purposes of this Division;
 - (c) prescribing the period of validity of the Certificates of Proficiency;
 - (d) providing for
 - (i) the periodic renewal of Certificates of Proficiency,
 - (ii) the issuance of appropriate classes of Certificates of Proficiency,
 - (iii) the issuance of Certificates of Proficiency without examination to holders of certificates issued under the laws of any other province when it considers such classes of certificates as being the equivalent of Certificates of Proficiency issued under the provisions of this Division, and

- (iv) reciprocal certification agreements between Alberta and other provinces respecting trades designated under this Division;
 - (e) establishing the eligibility of tradesmen to be examined;
 - (f) provide for recognition of programs of training other than apprenticeship training in a designated trade where that trade is not also designated under Division 1.
- (3) The Board, on the recommendation of the Provincial Advisory Committee or examination committee for a designated trade, may prescribe
- (a) the nature, scope and extent of examinations,
 - (b) the standards of achievement to be attained by persons upon examination before the issuance of Certificates of Proficiency, and
 - (c) the conditions for issuance of Certificates of Proficiency,
- for that trade.

46. (1) Nothing in this Division prohibits the employment in a designated trade of

- (a) apprentices in that trade whose contracts of apprenticeship are registered under Division 1;
- (b) trainees registered in work experience programs approved by the Board in that designated trade;
- (c) students engaged in part-time work experience programs approved by the Director;
- (d) persons with disabilities who are authorized by the Director to be employed within their capabilities to do work included in the description of the designated trade;
- (e) persons engaged in factory mass production and in-plant assembly operations under supervision and inspection appropriate to the operations and processes used, notwithstanding the fact that certain tasks so performed may fall within the description of the designated trade.

(2) Nothing in this Division or the regulations under this Division prohibits any person who is not the holder of a Certificate of Proficiency from carrying out work on his own property for his own use.

47. Subject to the regulations, the Director shall be responsible to provide for and maintain

- (a) a register of Certificates of Proficiency issued under this Division;

46. Exemptions.

47. Maintenance of records.

- (b) any other records and files which may be required for the administration of this Division.

48. The Director may cancel or suspend any Certificate of Proficiency where he is satisfied that the holder thereof has contravened this Act or the regulations or for any other cause which he considers sufficient.

Division 4

General

49. Any person who contravenes any provision of this Part of the regulations is guilty of an offence and liable on summary conviction

- (a) for the first offence to a fine of not more than \$1,000, and
- (b) for a second or subsequent offence, to a fine of not more than \$2,000.

48. Suspension or cancellation of Certificate of Proficiency.

49. Offences.

PART 4

MANPOWER ADVISORY COUNCIL

50. (1) The Lieutenant Governor in Council shall appoint an advisory body to the Minister known as the Manpower Advisory Council.

(2) The Manpower Advisory Council shall consist of six members representative of the general public interest, a chairman and any other members which are recommended by the Minister to serve ex officio.

(3) The Council shall

- (a) conduct a continuing review of the manpower goals and needs of Alberta and of manpower development with respect to those goals and needs having regard to the public interest;
- (b) advise and make policy recommendation to the Minister on the basis of the review conducted pursuant to clause (a) and on any related matters which may from time to time be referred to it by the Minister;
- (c) make an annual report of its activities to the Minister;
- (d) make any interim reports or recommendations to the Minister that it considers desirable.

(4) The Council shall meet at the call of the chairman, but not less than five times a year.

(5) The members of the Council shall be paid remuneration for their services and allowances for expenses necessarily incurred in the performance of their duties at a rate fixed by the Lieutenant Governor in Council.

50. Manpower Advisory Council.

PART 5

TRANSITIONAL, CONSEQUENTIAL AND COMMENCEMENT

51. *The Licensing of Trades and Businesses Act is amended*

- (a) *as to section 3, clause (b) by striking out the words "The Welding Act" and by substituting therefor the words "The Manpower Development Act", and*
- (b) *as to section 12, clause (a) by striking out the words "The Tradesmen's Qualification Act" and by substituting therefor the words "The Manpower Development Act".*

52. *Wherever a reference is made to The Apprenticeship Act, The Welding Act or The Tradesmen's Qualification Act in any statutory provision not amended by this Act or in any regulation, order, direction or other instrument in force in Alberta, the reference shall be deemed to be a reference to The Manpower Development Act.*

53. *Any order, regulation, direction, appointment or contract made, given or approved under The Apprenticeship Act, The Welding Act or The Tradesmen's Qualification Act that is in force upon the commencement of this Act shall continue in force and shall be deemed to have been made, given or approved under this Act.*

54. *The following Acts are repealed:*

- The Apprenticeship Act;*
- The Tradesmen's Qualification Act;*
- The Welding Act.*

55. *This Act comes into force on a date to be fixed by Proclamation.*

51. Consequential amendments.

52. Other references.

53. Instruments under former Acts.

54. Repeal.