
Second Session, 18th Legislature, 25 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 63

THE STUDENTS FINANCE ACT, 1976

THE MINISTER OF ADVANCED EDUCATION AND
MANPOWER

First Reading

Second Reading

Third Reading

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1976

THE STUDENTS FINANCE ACT, 1976

(Assented to _____, 1976)

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

1. In this Act,

- (a) "Board" means the Students Finance Board;
- (b) "Minister" means the Minister of Advanced Education and Manpower;
- (c) "student financial assistance" means financial assistance provided in the form of a loan, grant, bursary, prize, scholarship, allowance or remission to or in favour of any person who is eligible under section 8;
- (d) "student finance program" means a program assigned to the Board by the Lieutenant Governor in Council pursuant to section 5.

2. (1) There is hereby established a board called the "Students Finance Board".

(2) The Board has the responsibility for the apportionment and distribution of student financial assistance and for the operation and administration of student finance programs.

(3) From moneys appropriated for the purpose by the Legislature, the Board may award student financial assistance upon such terms and conditions as may be prescribed by regulation.

Explanatory Notes

1. Definitions.

2. The Students Finance Board.

(4) The Board may make rules governing its proceedings.

(5) The Board may establish committees, which may include persons other than members of the Board, for the purpose of considering applications for student financial assistance and to make recommendations with respect to the nature and amount of student financial assistance to be given.

(6) The members of committees established under subsection (5) who are not officers or employees of the Crown nor members, officers or employees of any agency of the Crown shall be paid such remuneration for their services as is prescribed by the Minister.

(7) The members of committees established under subsection (5) shall be paid their reasonable travelling and living expenses while absent from their ordinary place of residence and in the course of their duties as members of a committee at the rates prescribed by the Minister.

3. (1) The Board shall consist of not more than seven persons appointed by the Minister, one of whom shall be designated by the Minister as chairman.

(2) The members of the Board shall hold office for a term not exceeding three years as prescribed by the Minister.

(3) A member of the Board continues to hold office after the expiry of his term of office until his successor is appointed.

(4) The members of the Board who are not officers or employees of the Crown nor members, officers or employees of any agency of the Crown shall be paid such remuneration for their services as is prescribed by the Lieutenant Governor in Council.

(5) The members of the Board shall be paid their reasonable travelling and living expenses while absent from their ordinary place of residence and in the course of their duties as members of the Board at the rates prescribed by the Lieutenant Governor in Council.

3. Membership of the Board.

4. (1) The Board shall annually, after the end of each fiscal year of the Government, prepare and submit to the Minister a general report summarizing its transactions and affairs during the preceding fiscal year and showing its revenues and the application of its expenditures during that period, together with an audited financial statement for that period and such other information as the Minister may require.

(2) When the report is received the Minister shall lay a copy of it before the Legislative Assembly if it is then sitting and if not, within 15 days of the commencement of the next ensuing sitting.

5. (1) The Lieutenant Governor in Council may assign to the Board the operation and administration of any program established for the purpose of assisting individuals to obtain education or training including, without limitation,

(a) any program with respect to student financial assistance established pursuant to a federal-provincial agreement, and

(b) any program with respect to student financial assistance established by or pursuant to an Act of the Legislature.

(2) Subject to any other Act, where the Lieutenant Governor in Council assigns a student finance program to the Board under subsection (1), he may

(a) specify the powers and duties of the Board with respect to the program, and

(b) specify any powers or duties formerly exercised by another person or body with respect to the program that are to be exercised by the Board,

and thereupon the powers and duties so specified become vested in the Board for the purpose of administering and operating the program.

6. (1) The Provincial Treasurer shall maintain a fund known as the Students Loan Fund into which shall be deposited moneys from time to time appropriated by the Legislature for the purpose of the Fund.

4. Annual Report.

5. Student finance programs may be assigned to the Board by the Lieutenant Governor in Council.

6. The Students Loan Fund created by the previous Students Finance Act is continued.

(2) Moneys received as repayment of principal on loans shall be credited to the Students Loan Fund.

(3) Moneys received as payment of interest on loans shall be deposited in the General Revenue Fund.

7. Subject to this Act and the regulations, the Board may

- (a) make loans to eligible persons from the Students Loan Fund;
- (b) write off all or part of the outstanding loans made from the Students Loan Fund;
- (c) from funds appropriated for the purpose by the Legislature, pay all or part of the outstanding loans made to a student under *The Students Loan Guarantee Act* or loans made to a student under the *Canada Student Loans Act*.

8. (1) A person is eligible to receive student financial assistance under this Act who is registered in a course of studies

- (a) at a public college under *The Colleges Act*, a university under *The Universities Act* or an institution operated under *The Department of Advanced Education and Manpower Act*, or
- (b) at a private college under *The Colleges Act*, or
- (c) at a school of nursing in Alberta, or
- (d) at a trade school under *The Trade Schools Regulation Act*, where the course being taken is, in the opinion of the Board, not available at any institution referred to in clauses (a), (b) or (c), or
- (e) at any other post-secondary educational institution where the course being taken is, in the opinion of the Board, not available at any institution referred to in clause (a), (b), (c) or (d), or
- (f) at a school in Alberta operated by the board of trustees of a school district or school division or by a county.

7. Board may make loans.

8. This section enumerates the persons who are eligible to receive assistance under the Act.

(2) In addition to those eligible to receive student financial assistance under subsection (1), the Lieutenant Governor in Council may designate other classes of persons who are eligible to receive student financial assistance.

9. (1) Any person who orally or in writing intentionally makes any false statement or misrepresentation or gives any false or misleading information for the purpose of obtaining student financial assistance is guilty of an offence and liable on summary conviction to a fine not exceeding \$1,000.

(2) A prosecution for an offence under this section may be instituted at any time within three years of the commission of the offence but not thereafter.

10. The Lieutenant Governor in Council may make regulations

- (a) prescribing the terms and conditions under which student financial assistance is provided;
- (b) prescribing the qualifications and residence requirements for applicants for student financial assistance;
- (c) regarding the terms and conditions of repayment of loans under the Students Loan Fund, including the rate of interest and the date of commencement of calculation of interest;
- (d) conferring or imposing powers and duties of the Board with respect to student finance programs;
- (e) prescribing, with respect to loans from the Students Loan Fund or loans made under any other student finance program,
 - (i) the conditions upon which and the manner in which a loan may be written off, and
 - (ii) the classes of persons whose loans may be written off in whole or in part;
- (f) prescribing, with respect to loans made under *The Student Loans Guarantee Act* or loans made under the *Canada Student Loans Act*,
 - (i) the conditions upon which and the manner in which a loan or part of a loan may be repaid by the Board on behalf of the student, and

9. Offences and penalties.

10. Regulations.

(ii) the classes of students whose loans may be repaid in whole or in part by the Board.

11. *The Students Loan Guarantee Act is amended as to section 2, clause (b) by adding after the words "a treasury branch" the words "or a credit union incorporated under The Credit Union Act".*

12. *The Students Finance Act is repealed.*

13. This Act comes into force on January 1, 1977.

11. Amendment to chapter 354 of the Revised Statutes of Alberta 1970. Section 2, clause (b) presently reads as follows:

2. In this Act,

(b) "credit institution" means a chartered bank or a treasury branch;

12. This section repeals chapter 253 of the Revised Statutes of Alberta 1970.