
Second Session, 18th Legislature, 25 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 72

**THE HOSPITAL SERVICES COMMISSION AMENDMENT
ACT, 1976**

THE MINISTER OF HOSPITALS AND MEDICAL CARE

First Reading

Second Reading

Third Reading

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THE HOSPITAL SERVICES COMMISSION 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 Hospital Services Commission Act is hereby amended.*

2. *Section 2 is amended by striking out subsections (3) and
(4) and by substituting the following subsections:*

(3) The Minister may designate

(a) either the Commissioner for Finance or the
Commissioner for Hospitals as the vice-chairman of
the Commission, or

(b) both the Commissioner for Finance and the
Commissioner for Hospitals as the vice-chairmen of
the Commission.

(4) The vice-chairman of the Commission or, where the
Minister has designated two vice-chairmen, the
vice-chairman designated by him as acting chairman, shall
exercise and perform the powers and duties of the chairman
in the event of the absence or inability to act of the chairman
or a vacancy in the office of chairman.

3. *Section 5, subsection (1) is amended by striking out the
word "hospitals" and by substituting the word "Hospitals".*

Explanatory Notes

1. This Bill will amend chapter 45 of the Statutes of Alberta, 1971.

2. Section 2(3) and (4) presently read as follows:

(3) The Minister shall designate either the Commissioner for Finance or the Commissioner for Hospitals as the vice-chairman of the Commission.

(4) The vice-chairman of the Commission shall exercise and perform the powers and duties of the chairman in the event of the absence or inability to act of the chairman or a vacancy in the office of the chairman.

3. Corrects a typographical error.

4. Section 6 is amended by striking out subsection (3) and by substituting the following subsection:

(3) At a meeting of the Commission

(a) the vice-chairman shall preside at the meeting in the absence of the chairman, or

(b) where the Minister has designated two vice-chairmen,

(i) the acting chairman shall preside at the meeting in the absence of the chairman;

(ii) the vice-chairman who is not the acting chairman shall preside at the meeting in the absence of the chairman and the acting chairman;

(iii) the members present may elect one of their number to preside where the chairman and both vice-chairmen are absent.

5. Section 10 is amended

(a) by striking out subsections (1), (2) and (3) and by substituting the following subsections:

10. (1) Pursuant to *The Public Service Act* there may be appointed such employees as are required for the purposes of carrying out the business and affairs of the Commission.

(2) For the purposes of *The Public Service Act*,

(a) the Executive Committee and the persons appointed under subsection (1) are a department of the public service, and

(b) the chairman has the authority of a department head and a deputy head.

(b) as to subsection (5) by adding after the words "payable to the" the words "members of the Commission, other than the chairman of the Alberta Health Care Insurance Commission and the Director of Mental Health Services, and to the", and

(c) by striking out subsection (6).

4. Consequential, see section 2 of this Bill. Section 6(3) presently reads as follows:

(3) At a meeting of the Commission the vice-chairman shall preside at the meeting in the absence of the chairman and where the chairman and the vice-chairman are absent, the members present may elect one of their number to preside at that meeting.

5. Section 10(1), (2), (3), (5) and (6) presently read as follows:

10. (1) The Commission may appoint such employees as it considers necessary and prescribe their duties and their salaries or remuneration.

(2) The appointment of employees of the Commission shall be during pleasure unless otherwise agreed between the Commission and the employee.

(3) The Commission may make by-laws

(a) establishing job classifications and salary ranges for its employees and governing the application of salary ranges;

(b) authorizing the payment of supplementary benefits to or for the credit of an employee in addition to his salary or remuneration;

(c) governing the attendance and hours of work of its employees;

(d) governing the granting of holidays;

(e) governing overtime;

(f) governing annual vacations, sick leave, educational leave and any other form of leave of absence;

(g) governing the settlement of employee grievances;

(h) regulating the transfer, promotion or demotion of its employees;

6. *Section 11 is struck out.*

7. *(1) Section 15 is struck out and the following section substituted:*

15. The fiscal year of the Commission is the period from the first day of April to the next succeeding 31st day of March.

(2) Notwithstanding subsection (1), the fiscal year of the Commission that ends on March 31, 1977 includes the period from January 1, 1976 to March 31, 1976.

8. *Section 24 is amended by striking out subsection (1) and substituting the following subsection:*

24. (1) The Commission after the end of each fiscal year shall prepare and submit to the Minister a general report summarizing its transactions and affairs during the last fiscal year, including the audited financial statements of the Commission and such other information as the Minister may require.

9. *The Crown Agencies Employee Relations Act is amended as to the Schedule by striking out the words "The Alberta Hospital Services Commission".*

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

(i) governing the conduct, discipline, dismissal or suspension of its employees;

(j) governing any other matters relating to the terms and conditions of employment of its employees.

(5) The salaries and other remuneration payable to the employees of the Commission shall be paid by the Commission from its own funds.

(6) Subsections (1) to (3) are subject to The Crown Agencies Employee Relations Act and any agreement made pursuant to that Act by the Commission.

6. Section 11 presently reads:

11. The Public Service Pension Act applies, with the necessary modifications, to the chairman, the Commissioner for Finance, the Commissioner for Hospitals and the employees of the Commission and the Commission shall pay into the General Revenue Fund the contributions required to be made under section 5 of that Act together with an equal amount from the funds of the Commission as its contribution.

7. Section 15 presently reads as follows:

15. The fiscal year of the Commission is the calendar year.

8. Section 24(1) presently reads:

24. (1) The Commission after the end of each fiscal year shall prepare and submit to the Minister a general report summarizing its transactions and affairs during its last fiscal year, and showing its revenues and the application of its expenditure during that period, together with an audited balance sheet of its accounts and financial transactions during that period, together with such other information as the Lieutenant Governor in Council may require.

9. Consequential amendment to chapter 79 of the Revised Statutes of Alberta 1970. See section 5 of this Bill.