

1977 BILL 75

Third Session, 18th Legislature, 26 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 75

**THE ENERGY RESOURCES CONSERVATION
AMENDMENT ACT, 1977**

HON. MR. McCRAE

First Reading

Second Reading

Third Reading

BILL 75

1977

THE ENERGY RESOURCES CONSERVATION AMENDMENT ACT, 1977

(Assented to _____, 1977)

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

1 The Energy Resources Conservation Act is amended by this Act.

2 Section 4(1) is repealed and the following is substituted:

4(1) The Board shall consist of not more than seven members appointed by the Lieutenant Governor in Council, one of whom shall be designated as Chairman, not more than three of whom may be designated as Vice Chairmen and the remainder of whom shall be designated as Board Members.

3 Section 6(4) is repealed and the following is substituted:

(4) Section 4(1) does not prevent the enlargement of the Board to more than seven members by the naming of one or more acting members in accordance with this section, but the Board shall not be enlarged pursuant to this section so that there are more than nine members during any period of time.

4 The following section is added after section 6:

6.1(1) The Chairman may designate any three or more members of the Board to sit as a division of the Board and may direct that division to conduct any hearing, inquiry or investigation which the Board itself could conduct under this or any other Act.

(2) Two members constitute a quorum at any hearing, inquiry, investigation or other meeting held by a division of the Board.

(3) Any decision or other action made or taken at a hearing, inquiry, investigation or other meeting held by a division of the Board at which a quorum is present is the decision or action of the Board and binds all members of the Board.

Explanatory Notes

1 This Bill will amend chapter 30 of the Statutes of Alberta, 1971.

2 Section 4(1) presently reads:

4(1) The Board shall consist of not more than five members appointed by the Lieutenant Governor in Council, one of whom shall be designated as Chairman, not more than two of whom may be designated as Vice Chairmen and the remainder of whom shall be designated as Board Members.

3 Section 6(4) presently reads:

(4) Section 4, subsection (1) does not prevent the enlargement of the Board to more than five members by the naming of one or more acting members in accordance with this section, but the Board shall not be enlarged pursuant to this section so that there are more than seven members during any period of time.

4 Divisions of the Board.

(4) A division of the Board may exercise and perform all the jurisdiction, powers and duties of the Board under this or any other Act with respect to the hearing, inquiry or investigation it is directed to conduct and for that purpose any reference in this or any other Act to the Board shall be deemed to be a reference to a division of the Board.

(5) The Chairman may designate a member of a division of the Board to preside at any sitting of the division at which the Chairman is not present.

(6) A division of the Board shall conduct a hearing, investigation, inquiry or other meeting separately from those of any other division of the Board being conducted at the same time but may not sit at any time during which the Board itself is sitting.

5 Section 7 is repealed and the following is substituted:

7 Where a hearing, inquiry or investigation is conducted by the Board or a division of the Board and a member or members of the Board or division do not for any reason attend on any day or part of a day, the other member or members who are sitting on the hearing, inquiry or investigation may, if they constitute a quorum of the Board or the division, as the case may be, continue the hearing, inquiry or investigation as fully and effectively as though the member or members were present.

6 Section 11(3) is amended by adding “at a hearing, inquiry, investigation or other meeting held by the Board” after “quorum”.

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

5 The present section 7 is recast for the purpose of extending it to divisions of the Board constituted under the proposed section 6.1. Section 7 presently reads:

7 Where a hearing, inquiry or investigation is held by the Board, and a member or members of the Board is or are for any reason unable to attend on any day or date, the other member or members who were sitting on the hearing, inquiry or investigation has or have power to continue the hearing, inquiry or investigation as fully and effectively as if the member or members unable to attend were present.

6 Section 11(3) presently reads:

(3) Three members of the Board constitute a quorum.