

1978 BILL 61

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Fourth Session, 18th Legislature, 27 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 61

**THE STUDENTS FINANCE  
AMENDMENT ACT, 1978**

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THE MINISTER OF ADVANCED  
EDUCATION AND MANPOWER

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

*Bill 61*

## **BILL 61**

1978

### **THE STUDENTS FINANCE AMENDMENT ACT, 1978**

*(Assented to , 1978)*

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

*1 The Students Finance Act, 1976 is amended by this Act.*

*2 Section 1 is amended by renumbering clause (a) as (a.1) and adding the following before clause (a.1):*

(a) "Appeal Board" means the Students Finance Appeal Board established under section 8.3;

*3 Section 2 is amended by adding the following after subsection (4):*

(4.1) The chairman of the Board may authorize in writing an employee of the Government under the administration of the Minister to do any act or thing required or permitted to be done by the Board under this or any other Act.

(4.2) An authorization given under subsection (4.1) may be

(a) general or applicable to a particular case, and

(b) conditional or unconditional.

*4 The following is added after section 3:*

**3.1** The Board shall account to the Minister and shall report to him at the times and in the manner that he considers appropriate.

## **Explanatory Notes**

**1** This Bill will amend chapter 84 of the Statutes of Alberta, 1976.

**2** Definition.

**3** Delegation of the Board's authority.

**4** Accountability of the Board to the Minister.

5 *Section 8(1) is amended*

*(a) by adding the following after clause (a):*

(a.1) at The Banff Centre for Continuing Education, or

*and*

*(b) in clauses (d) and (e) by striking out “clause (a),” and substituting “clause (a), (a.1),”.*

6 *The following is added after section 8:*

**8.1** A person who

(a) applies to the Board for financial assistance, and

(b) is dissatisfied with the Board’s decision in respect of that application

may appeal the Board’s decision to the Students Finance Appeal Board.

**8.2** A person who appeals to the Appeal Board under section 8.1 shall set out the grounds for his appeal.

**8.3(1)** The Students Finance Appeal Board shall consist of not more than 12 persons appointed by the Minister, one of whom shall be designated by the Minister as the chairman of the Appeal Board.

(2) The chairman of the Appeal Board may designate not more than 3 members of the Appeal Board to sit as a division of the Appeal Board and shall designate one of those members to preside at a sitting of a division if the chairman is not present at the sitting.

(3) Two or more divisions of the Appeal Board may hold sittings at the same time.

(4) A decision of a division of the Appeal Board is a decision of the Appeal Board.

(5) A majority of the members

(a) of the Appeal Board then holding office constitutes a quorum of the Appeal Board at a sitting of the Appeal Board, and

(b) designated to sit as a division of the Appeal Board constitutes a quorum of that division at a sitting of the division.

**5** Section 8(1) presently reads in part:

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

*(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 clause (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*

**6** Appeals.

(6) The Minister may pay those fees and reasonable living and travelling expenses that he considers proper to the members of the Appeal Board.

**8.4** Upon hearing an appeal, the Appeal Board or a division may

- (a) confirm the decision of the Board,
- (b) vary the decision of the Board,
- (c) substitute its decision for that of the Board, or
- (d) dismiss the appeal.

7 *Section 10 is amended by adding the following after clause (f):*

(g) prescribing rules of procedure by which the Appeal Board conducts its business or delegating to the Appeal Board the power to prescribe its own rules of procedure;

(h) prescribing the period of time within which a decision of the Board may be appealed to the Appeal Board;

(i) prescribing the manner in which appeals to the Appeal Board may be commenced.

*8(1) This Act, except sections 2, 6 and 7, comes into force on the day upon which it is assented to.*

*(2) Sections 2, 6 and 7 come into force on a date or dates to be fixed by Proclamation.*

**7** Allows the Lieutenant Governor in Council to make regulations.