

1979 BILL 27

First Session, 19th Legislature, 28 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 27

THE RESEARCH COUNCIL AMENDMENT ACT, 1979

THE MINISTER OF ECONOMIC DEVELOPMENT

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 27

1979

THE RESEARCH COUNCIL AMENDMENT ACT, 1979

(Assented to _____, 1979)

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

1 *The Research Council Act is amended by this Act.*

2 *Sections 1 is repealed and the following is substituted:*

1 In this Act,

(a) “Board” means the Board of Directors of the Research Council;

(b) “Research Council” means The Research Council of Alberta.

3 *Section 2 is repealed and the following is substituted:*

2 The corporation known as “The Research Council of Alberta” is continued under the name of “The Board of Directors of the Research Council of Alberta”.

4 *Section 3 is amended*

(a) *by repealing subsection (1)(b) and (c) and substituting the following:*

(b) not less than one member of the Legislative Assembly,

(c) 2 nominees of the Governors of the University of Alberta, The Governors of The University of Calgary or The Governors of The University of Lethbridge,

Explanatory Notes

1 This Bill will amend chapter 321 of the Revised Statutes of Alberta 1970.

2 Section 1 presently reads:

1 This Act may be cited as The Research Council Act.

3 Section 2 presently reads:

2 There is hereby constituted and established a corporation to be known as "The Research Council of Alberta" hereinafter called "the Research Council".

4 Section 3(1) presently reads:

3(1) The Research Council shall consist of not more than 15 members designated from time to time by the Lieutenant Governor in Council, and shall include

(a) not less than two members of the Executive Council of Alberta,

(b) the President of The University of Alberta, and

(c) the Director of Research.

This amendment adds new members to the Board and provides that a vacancy does not impair the actions of the Board.

(d) the President of the Research Council, and

(e) at least 7 other persons.

(b) by adding the following after subsection (2):

(3) A vacancy on the Board does not impair the right of the remaining members to act until the vacancy is filled.

5 Section 4(1) is repealed and the following is substituted:

4(1) A chairman of the Board shall be appointed by the Lieutenant Governor in Council from among the members of the Board who are members of the Legislative Assembly.

6 Section 5 is amended

(a) in subsection (2) by striking out “Council” and substituting “Board”, and

(b) in subsections (3) and (4) by striking out “the Council” and substituting “the Board”.

7 Section 7 is repealed and the following is substituted:

7 The chairman and other members of the Board, who are not employees of the Government of Alberta, may be paid such remuneration as may be fixed by the Lieutenant Governor in Council and may receive such payment for travelling and other expenses incurred in connection with the work of the Board as is approved by the Lieutenant Governor in Council.

8 Section 11(g) is repealed and the following is substituted:

(g) appoint the scientific, technical and other officers of the Research Council, fix their tenure of office, prescribe their duties and fix their remuneration,

5 Section 4(1) presently reads:

4(1) A chairman of the Research Council shall be appointed by the Lieutenant Governor in Council from among the members of the Research Council who are members of the Executive Council.

6 Section 5(2), (3) and (4) presently reads:

(2) The Council may retain as its property to be used or applied solely for the purposes of this Act the assets acquired in the manner described in subsection (1), other than moneys.

(3) Any moneys acquired in the manner described in subsection (1) shall be placed in a special account separate from the money appropriated from time to time by the Legislature for the work of the Council, unless the Lieutenant Governor in Council otherwise orders.

(4) The Lieutenant Governor in Council may from time to time order that moneys acquired by the Council from all or any sources be paid into and form part of the General Revenue Fund of the Province.

7 Section 7 presently reads:

7 No member of the Research Council, other than the Director of Research, shall receive any payment or emolument for his services, but each member of the Research Council shall receive such payments for travelling and other expenses in connection with the work of the Research Council as may be approved by the Lieutenant Governor in Council.

This amendment provides that all members of the Board, except Government employees, will receive remuneration and travelling and other expenses where fixed by the Lieutenant Governor in Council.

8 Section 11 presently reads in part:

11 Without limiting the general powers of the Research Council conferred upon or vested in the Research Council by this Act, the Research Council may

(g) subject to the approval of the Lieutenant Governor in Council,

(i) appoint the scientific, technical and other officers of the Research Council,

9 *Section 12 is repealed.*

10 *Section 13(2) is repealed.*

(ii) fix the tenure of office of the appointees, and

(iii) prescribe the several duties and fix the remuneration of the officers of the Research Council,

This amendment removes the requirement that the Lieutenant Governor in Council approve the appointment of the staff and prescribe their duties and remuneration.

9 Section 12 presently reads:

12(1) The Director of Research or the Acting Director or Deputy Director of Research may, for the purpose of obtaining information and statistics as to the trades, businesses and industries of the Province, require any or all persons engaged in such a trade, business or industry to furnish such information with regard to that trade, business or industry and any agricultural, industrial or commercial activities thereof as the Director, the Acting Director or Deputy Director considers proper.

(2) Information required under subsection (1) shall not include

(a) information of a secret or confidential nature, or

(b) information the disclosure of which would be injurious to the person carrying on the trade, business or industry with respect to which information is sought.

(3) Each person engaged in a trade, business or industry who defaults for a period of 30 days after the receipt of such demand or such longer period as may be appointed in complying with a demand in writing for information made under the provisions of subsection (1), when such person has or is able to procure such information, is guilty of an offence and liable on summary conviction to a fine of \$10 for each day during which such default continues.

(4) Information furnished pursuant to this section shall be used solely by the Research Council, its members and officers for the purposes of the proper performance by the Research Council of the powers conferred upon or vested in it by this Act.

(5) A member or officer of the Research Council who uses information furnished under this section for a purpose other than that referred to in subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than \$500.

10 Section 13(2) presently reads:

(2) The Director of Research shall submit to the Research Council nominations for any technical or other officer required by the Research Council.

Consequential

11 Section 17 is repealed and the following is substituted:

17 The President of the Research Council shall report annually to the Board upon the progress and efficiency of the work of the Research Council and as to the requirements of the Council, and shall make any recommendations in that report that he considers necessary.

12 Section 18(1) is amended by striking out “The Research Council shall” and substituting “The Board shall”.

13 In the following provisions, “Research Council” is struck out wherever it occurs and “Board” is substituted:

section 3(2);
section 5(1);
section 6;
section 8;
section 9;
section 10;
section 11;
section 14;
section 15;
section 16;
section 18(2).

14 In the following provisions, “Director of Research” is struck out wherever it occurs and “President of the Research Council” is substituted:

section 4(2);
section 11(f);
section 13.

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

11 Section 17 presently reads:

17 The Director of Research shall report annually to the Research Council upon the progress and efficiency of the work of the Research Council, and as to the requirements of the Research Council, and shall make such recommendations in the report as he deems necessary.

Consequential.

12 Section 18(1) presently reads:

18(1) The Research Council shall after the conclusion of the calendar year make a report to the President of the Executive Council on the work of the Research Council during the preceding year.

Consequential.

13 Consequential.

14 Consequential.