

1980 BILL 51

---

---

Second Session, 19th Legislature, 29 Elizabeth II

---

---

THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 51

THE ALBERTA EMBLEMS AMENDMENT ACT, 1980

---

---

MRS. OSTERMAN

---

---

First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

*Bill 51*  
*Mrs. Osterman*

## **BILL 51**

1980

### **THE ALBERTA EMBLEMS AMENDMENT ACT, 1980**

*(Assented to , 1980)*

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

*1 The Alberta Emblems Act is amended by this Act.*

*2 Sections 1 and 2 and the heading preceding section 2 are repealed and the following is substituted:*

**1** In this Act,

- (a) “Minister” means the Minister of Culture;
- (b) “official emblem” means
  - (i) the armorial bearings of Alberta;
  - (ii) the Flag of Alberta;
  - (iii) the floral emblem of Alberta;
  - (iv) the Alberta Tartan;
  - (v) the official bird of Alberta;
  - (vi) the official stone of Alberta.

#### **Armoial Bearings of Alberta**

**2** The armorial bearings of Alberta are those described as follows:

## Explanatory Notes

**1** This Bill will amend chapter 11 of the Revised Statutes of Alberta 1970.

**2** Sections 1 and 2 and the heading preceding section 2 presently read:

*1 This Act may be cited as The Alberta Emblems Act.*

### *Provincial Arms*

*2 A person who, without the authority of the Lieutenant Governor in Council or of the head of a Government Department, assumes or uses*

*(a) the crest, arms, blazon or other heraldic emblem belonging to or assumed by the Province, or*

*(b) any heraldic emblem so nearly resembling the same as to be calculated to deceive,*

*is guilty of an offence and liable on summary conviction to a fine of not more than \$100.*

### **Arms**

Azure, in front of a range of snow mountains proper a range of hills Vert, in base a wheat field surmounted by a prairie both also proper, on a chief Argent a St. George's Cross.

### **Crest**

Upon a Helm with a Wreath Argent and Gules a Beaver couchant upholding on its back the Royal Crown both proper.

### **Supporters**

On the dexter side a Lion Or armed and langued Gules and on the sinister side a Pronghorn antelope (*antilocapra americana*) proper the Compartment comprising a grassy mount with the Floral emblem of the Province of Alberta the Wild Rose (*Rosa acicularis*) growing therefrom proper.

### **Motto**

FORTIS ET LIBER

*3 Section 3 is amended by striking out "armorial ensigns" and substituting "Arms".*

*4 The following is added after section 10:*

### **General**

**11** The Minister may make regulations governing the reproduction, use and display, or any of them, of an official emblem.

**3** Section 3 presently reads:

*3 A blue flag with the shield of the armorial ensigns of the Province centered thereon (as more particularly described in section 4) is hereby appointed and declared as the Flag of Alberta.*

**4** Reproduction, use and display of official emblems.

**12** Every person who

(a) without the consent of the Minister, assumes, uses or displays for commercial or business purposes

(i) the armorial bearings of Alberta or any portion of them, or

(ii) any design so nearly resembling the armorial bearings of Alberta or any portion of them as to be calculated to deceive,

or

(b) contravenes a regulation made under section 11,

is guilty of an offence and liable on summary conviction to a fine of not more than \$1000.

**13** If a person reproduces, uses or displays an official emblem, the reproduction, use or display of which is governed by a regulation made under section 11, in a manner other than that permitted under the regulation, the Minister may, whether or not that person has been prosecuted under this Act, apply to the Court of Queen's Bench by originating notice for an order enjoining the person from reproducing, using or displaying the official emblem in a manner other than that permitted under the regulation.

*5 This Act comes into force on a date or dates to be fixed by Proclamation.*