

1980 BILL 239

Second Session, 19th Legislature, 29 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 239

THE ENVIRONMENT PROTECTION AUTHORITY ACT

MR. MANDEVILLE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 239
Mr. Mandeville

BILL 239

1980

THE ENVIRONMENT PROTECTION AUTHORITY ACT

(Assented to , 1980)

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

1 In this Act,

- (a) "Authority" means the Environment Protection Authority established under this Act;
- (b) "government agency" means
 - (i) a corporation that is an agent of the Crown in right of Alberta, or
 - (ii) any corporation, commission, board or other body empowered to exercise quasi-judicial or governmental functions and whose members are appointed by an Act of the Legislature, the Lieutenant Governor in Council, a Minister of the Crown or any combination of them;
- (c) "environment" means land, water, air, plant life, animal life and the natural systems by which they are interrelated;
- (d) "natural resource" means any or all components of the environment.

2 For the purposes of this Act, the following are matters pertaining to environmental protection:

- (a) the protection, management, conservation and utilization of natural resources and the environment;
- (b) the prevention and control of pollution or alteration of any aspect of the environment;

- (c) the control of excessive levels of noise pollution;
- (d) any operation or activity, whether carried on by government or for commercial or industrial purposes or otherwise,
 - (i) that adversely affects or is likely to adversely affect the quality of the environment, or
 - (ii) that destroys, disturbs, pollutes, alters or makes use of a natural resource or is likely to do so;
- (e) the preservation of natural resources and natural environments for their aesthetic value;
- (f) laws in force in Alberta that relate to or directly or indirectly affect the use of natural resources and the environment.

3(1) There is hereby established the Environment Protection Authority consisting of 5 members appointed by the Lieutenant Governor in Council.

(2) The Lieutenant Governor in Council shall designate one of the members of the Authority as chairman and another as vice-chairman.

(3) The vice-chairman is the acting chairman of the Authority in the event of the absence or inability to act of the chairman or in the event that the office of the chairman is vacant.

(4) Members of the Authority

(a) shall be paid salaries in accordance with a schedule of salary rates prescribed by the Lieutenant Governor in Council, and

(b) shall be paid their reasonable travelling and living expenses while absent from their ordinary places of residence and in the course of their duties as members of the Authority, at rates prescribed by the Lieutenant Governor in Council.

out of money appropriated to that purpose by the Legislature.

(5) *The Public Service Pension Act* applies to the members of the Authority.

4(1) The Authority shall meet at the call of the chairman.

(2) 3 members of the Authority constitute a quorum.

(3) The Authority may make rules respecting the calling of meetings of the Authority and the conduct of business at meetings, and generally as to the conduct of the business and affairs of the Authority.

5 In accordance with *The Public Service Act* there may be appointed a secretary and any other employees as may be required for the purpose of providing clerical and secretarial services to the Authority, who shall be paid out of money appropriated to that purpose by the Legislature.

6(1) The Authority

(a) shall conduct a continuing review of regulations, standards, policies, procedures and programs of the Government and government agencies on matters pertaining to environmental protection and conservation and shall report thereon to the Lieutenant Governor in Council;

(b) may inquire into any matter pertaining to environmental protection and make its recommendations and report thereon to the Lieutenant Governor in Council;

(c) shall, when required to do so by an order of the Lieutenant Governor in Council, inquire into any matter pertaining to environmental protection that is specified in the order and make its recommendations and report thereon to the Lieutenant Governor in Council;

(d) when acting pursuant to clause (c) may require any officers, or employees of the department of the Government or any government agency to provide information that, in the opinion of the Authority, is necessary for the purposes of enabling it to carry out its responsibilities;

(e) may, when it considers necessary, hold public hearings for the purpose of receiving briefs and submissions on any matter pertaining to environment protection and shall report thereon to the Lieutenant Governor in Council;

(f) may hold public meetings for the purpose of distributing such information pertaining to environmental hazards, practices or standards as it may consider to be of benefit to the public;

(g) may, as it considers necessary, but at least once a year, hold joint meetings with its public advisory committees;

(h) may engage the services of persons having special technical or other knowledge in connection with an inquiry of any matter pertaining to environmental protection that the Authority has undertaken or proposed to undertake;

(i) shall make a report each year to the Legislative Assembly which shall be delivered to the Minister of the Environment who shall table it at the earliest opportunity in the Legislative Assembly and, if the Legislative Assembly is not then sitting, send a copy to every member, which report shall

- (i) summarize generally its activities and affairs in the preceding year.
- (ii) detail the recommendations made by it to the Lieutenant Governor in Council.
- (iii) show any reports or studies prepared in the preceding year at the request of the Lieutenant Governor in Council, and
- (iv) contain such recommendations as the Authority deems are of sufficient importance to be made directly to the Assembly.

7 The Lieutenant Governor in Council may

- (a) appoint one or more public advisory committees to advise the Authority on matters pertaining to environmental protection;
- (b) prescribe the rates or remuneration to be paid to members of a public advisory committee for their travelling and living expenses incurred in the course of their duties as members of a committee, to be paid out of money appropriated to that purpose.

8 A Public Advisory Committee

- (a) shall, at the direction of the Authority, inquire into and study any matter pertaining to environmental protection and shall submit a report and recommendations to the Authority;
- (b) shall, at the request of the Authority, hold a joint meeting with the Authority to discuss any matters pertaining to the activities of the committee;
- (c) may, in conjunction with the Authority, hold such meetings as is deemed necessary by the Authority for the purpose of receiving briefs and submissions on any matter pertaining to environmental protection and conservation, and
- (d) may, in conjunction with the Authority, hold such public meetings as is deemed necessary by the Authority for the purpose of distributing such information pertaining to environmental hazards, practices or standards as may be of benefit to the public.

9 *The Environment Council Act* is repealed.

10 This Act comes into force on January 1, 1981.