

1981 BILL 41

Third Session, 19th Legislature, 30 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 41

**THE ALBERTA EDUCATIONAL COMMUNICATIONS
CORPORATION AMENDMENT ACT, 1981**

THE MINISTER OF ADVANCED EDUCATION AND
MANPOWER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 41

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1981

THE ALBERTA EDUCATIONAL COMMUNICATIONS CORPORATION AMENDMENT ACT, 1981

(Assented to _____, 1981)

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

1 The Alberta Educational Communications Corporation Act is amended by this Act.

2 Section 3 is amended

(a) in subsection (4) by striking out “, but this subsection does not operate to preclude the reappointment of any person as a director”;

(b) by adding the following after subsection (4):

(4.1) A director of the Corporation is eligible for reappointment for a 2nd term of office, but not for a further term of office until the expiration of a period of 3 years after his 2nd term has ended.

(4.2) Notwithstanding subsection (4.1),

(a) the chairman of the Corporation, and

(b) a director of the Corporation who is an employee of the Government

are eligible for reappointment for further terms of office, each not exceeding 3 years.

(4.3) The Lieutenant Governor in Council may fill a vacancy on the Corporation by appointing an individual to fill the unexpired term of office of the former director, and an appointment to an unexpired term shall not be considered, for the purposes of subsection (4.1), as any term of office.

Explanatory Notes

1 This Bill will amend chapter 3 of the Statutes of Alberta, 1973.

2 Section 3 presently reads in part:

(4) The Lieutenant Governor in Council shall, in making an appointment under this section, prescribe the term of office of the director so appointed which shall not exceed three years, but this subsection does not operate to preclude the reappointment of any person as a director.

(7) The directors, other than employees of the Government, shall be paid from the funds of the Corporation

(a) fees for the performance of their duties at the rates prescribed in the by-laws, and

(b) allowances in accordance with the by-laws for living and travelling expenses incurred in the course of performing their duties.

(c) *by repealing subsection (7).*

3 *The following is added after section 3:*

3.1 The appointment of a person who is an employee of the Government as a director of the Corporation terminates on that person ceasing to be an employee of the Government.

3.2 A director continues to hold office after the expiry of his term of office until he is reappointed, his successor is appointed or a period of 3 months has expired, whichever first occurs.

3.3 If a person resigns as a director of the Corporation, his appointment as a director terminates on the effective date specified in his resignation or, if no effective date is specified, on the date of receipt of his resignation by the Corporation.

4 *Section 4 is amended*

(a) *in subsection (1) by striking out “if he is not a Canadian citizen ordinarily resident in Alberta or”;*

(b) *by adding the following after subsection (1):*

(1.1) Only persons who

(a) are Canadian citizens or have been lawfully admitted to Canada for permanent residence, and

(b) are residents of Alberta

are eligible to be appointed or to continue as members of the Corporation.

5 *The following is added after section 4:*

4.1 The Lieutenant Governor in Council shall appoint a person as President of the Corporation, who shall be the Chief Executive officer of the Corporation.

6 *Section 5(2) is repealed and the following is substituted:*

(2) A majority of members holding office constitutes a quorum for meetings of the Corporation.

3 The proposed new sections will result in the automatic termination of a directorship when a government employee/director ceases to be a government employee, will continue a directorship for 3 months or until a reappointment or new appointment is made, whichever first occurs, and will express the effect of a resignation.

4 Section 4 presently reads in part:

4(1) A person is not eligible to be appointed or to continue as a member of the Corporation if he is not a Canadian citizen ordinarily resident in Alberta or if, directly or indirectly, as owner, shareholder, director, officer, partner or otherwise, he

(a) is engaged in a broadcasting undertaking, or

(b) has any pecuniary interest or proprietary interest in

(i) a broadcasting undertaking, or

(ii) the production or distribution of program material suitable for use by a broadcasting undertaking, or

(iii) the manufacture or distribution of radio apparatus except where such distribution is incidental to the general merchandising of goods by wholesale or by retail.

5 President.

6 Section 5(2) presently reads:

(2) Eight members constitute a quorum for meetings of the Corporation.

7 *Section 6 is amended*

(a) *by repealing subsection (2)(i);*

(b) *by adding the following after subsection (3):*

(4) The Auditor General is the auditor of the Corporation.

8 *Section 8 is amended*

(a) *in subsection (1)(c) by striking out “rates of salary or wages” and substituting “remuneration”;*

(b) *by repealing subsection (2);*

(c) *in subsection (3)(a) by striking out “salary ranges” and substituting “the remuneration”;*

(d) *by repealing subsection (3)(b);*

(e) *in subsection (3)(c) by striking out “salary or wages” and substituting “remuneration”;*

(f) *by repealing subsection (4).*

9 *The following is added after section 8:*

8.1(1) The directors of the Corporation other than employees of the Government shall, at the rates prescribed by by-law of the corporation, be paid

(a) remuneration for the performance of their duties, and

(b) travelling and living expenses incurred while absent from their ordinary places of residence in the course of performing their duties.

(2) The President shall be paid,

7 Section 6 presently reads in part:

(2) *The Corporation may*

(i) *appoint the auditor of the Corporation;*

8 Section 8 presently reads in part:

8(1) *The Corporation may*

(c) *subject to subsection (3), prescribe the rates of salary or wages of persons employed by it;*

(2) *The Lieutenant Governor in Council shall appoint a person as President of the Corporation, who shall be the chief executive officer of the Corporation, and shall prescribe the remuneration payable by the Corporation to the President.*

(3) *The Corporation shall make by-laws*

(a) *establishing job classifications for its employees and salary ranges in respect of each job classification so established;*

(b) *governing the application of salary rates or ranges so established;*

(c) *authorizing the payment of supplementary benefits to, or for the credit of, an employee in addition to his salary or wages.*

(4) *The Corporation may make by-laws respecting the remuneration or rates of remuneration to be paid to members of the Corporation, the President and its employees for travelling and living expenses incurred in the course of performing their duties.*

9 Payment of remuneration and expenses.

(a) at the rates prescribed by the Lieutenant Governor in Council, remuneration for the performance of his duties, and

(b) at the rates prescribed by by-law of the Corporation, travelling and living expenses incurred while absent from his ordinary place of residence in the course of performing his duties.

(3) The employees of the Corporation shall, at the rates prescribed by by-law of the Corporation, be paid

(a) remuneration for the performance of their duties, and

(b) travelling and living expenses incurred while absent from their ordinary places of residence in the course of performing their duties.

10 Section 11 is amended in subsection (3) by striking out "the 90-day period" and substituting "August 1 of the year".

11 Section 12 is repealed and the following is substituted:

12(1) The Corporation shall, as soon as practicable after the end of each fiscal year, make a report to the provincial authority summarizing the business and affairs of the Corporation during the preceding fiscal year.

(2) The report under subsection (1) shall be laid before the Legislative Assembly, if it is then sitting, and if it is not then sitting, within 15 days after the commencement of the next ensuing sitting.

(3) The Corporation shall make any further reports to the provincial authority that the provincial authority may request.

In accordance with section 4(1) of The Interpretation Act, 1980, this Bill comes into force on the date it receives Royal Assent.

10 Section 11 presently reads in part:

(3) The Corporation shall, before the 90-day period preceding each fiscal year of the Corporation, submit its budget for that fiscal year to the provincial authority for its approval.

11 Section 12 presently reads in part:

(2) The Corporation may make such further reports to the Minister of Education and the Minister of Advanced Education and Manpower as either of those Ministers may from time to time request.