

1983 BILL 204

First Session, 20th Legislature, 32 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 204

**AN ACT TO AMEND THE
LEGISLATIVE ASSEMBLY ACT**

MR. MARTIN

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 204
Mr. Martin

BILL 204

1983

AN ACT TO AMEND THE LEGISLATIVE ASSEMBLY ACT

(Assented to 1983)

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

1 *The Legislative Assembly Act is amended by this Act.*

2 *The following is added after section 36:*

36.1(1) In this section “party” means “registered party” as defined by section 1(o) of the *Election Finances and Contributions Disclosure Act*

(2) On the first day of the first session of the Legislature following a provincial general election, the Speaker shall announce to the Legislative Assembly

(a) which party or group of members sitting in opposition to the Government shall be recognized as the Official Opposition, and

(b) which member of the Official Opposition shall be recognized as the Leader of Her Majesty’s Loyal Opposition.

(3) For the purposes of subsection (2), the Speaker shall recognize

(a) the largest party or group sitting in opposition to the Government as the Official Opposition, and

(b) the member recognized by that party or group as being their leader, as the Leader of Her Majesty’s Loyal Opposition.

(4) If 2 or more parties or groups sitting in opposition to the Government have an equal number of members, and no other opposition party or group has a greater number of members, the Speaker shall recognize, pursuant to subsection (2),

Explanatory Notes

1 This Bill will amend chapter L-10 of the Revised Statutes of Alberta 1980.

2 This section will provide for popular vote to be considered in recognizing the Official Opposition if there are two parties or groups in opposition with equal numbers.

(a) the party or group which received the largest percentage of the popular vote in the immediately preceding provincial general election as the Official Opposition, and

(b) the member recognized by that party or group as being their leader as the Leader of Her Majesty's Loyal Opposition.

(5) For the purpose of subsection (4), "popular vote" is defined as,

(a) in the case of a party, the total of all votes cast in the provincial general election for all candidates endorsed by that party as official candidates of that party, and

(b) in the case of a group, the total of all votes cast in the provincial general election for the members elected to the Legislative Assembly and declaring themselves to be members of that group.

(6) If, after the Speaker has made an announcement pursuant to subsection (2), during the life of the same Legislature, membership in any or all of the parties or groups sitting in opposition to the Government changes to a degree deemed by the Speaker to warrant his recognizing a different Official Opposition or Leader of Her Majesty's Loyal Opposition or both, he shall do so by announcing the changed recognition in accordance with the principles of subsections (2) to (5) and considering also the results of relevant by-elections.

3 *Section 60 is amended by striking out subsection (1) and substituting:*

(1) In this section

(a) "party" means "registered party" as defined in section 1(o) of the *Election Finances and Contributions Disclosure Act*, and

(b) "recognized opposition party" means a party that

(i) holds more than 1 seat in the Legislative Assembly, and

(ii) received at least 5% of the popular vote in the election immediately preceding the year in which the allowance in subsection (2) is to be paid.

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

3 Section 60(1) presently reads:

60(1) In this section, "recognized opposition party" means a party that

(a) holds at least 4 seats in the Legislative Assembly, and

(b) received at least 5% of the popular vote in the election immediately preceding the year in which the allowance in subsection (2) is to be paid.