

1984 BILL 18

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Second Session, 20th Legislature, 33 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 18

DEPARTMENT OF ENERGY AND NATURAL RESOURCES  
AMENDMENT ACT, 1984

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ASSOCIATE MINISTER OF PUBLIC LANDS AND WILDLIFE

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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## BILL 18

1984

### DEPARTMENT OF ENERGY AND NATURAL RESOURCES AMENDMENT ACT, 1984

(Assented to \_\_\_\_\_, 1984)

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

*1 The Department of Energy and Natural Resources Act is amended by this Act.*

*2 Section 1 is amended*

*(a) by renumbering clause (a) as clause (a.1) and by adding the following before clause (a.1):*

(a) "Associate Minister" means the Associate Minister of Public Lands and Wildlife;

*(b) by adding the following after clause (b):*

(c) "responsible Minister" means the Minister or the Associate Minister, as the case may be.

*3 Section 2 is repealed and the following is substituted:*

**2(1)** There shall be a department of the Government called the Department of Energy and Natural Resources.

(2) The member of the Executive Council appointed by the Lieutenant Governor under the Great Seal of the Province as Minister of Energy and Natural Resources shall preside over those parts of the Department whose administration is not by order of the Lieutenant Governor in Council assigned to the Associate Minister.

(3) The member of the Executive Council appointed by the Lieutenant Governor under the Great Seal of the Province as Associate Minister of Public Lands and Wildlife shall preside over those parts of the Department whose administration is by order of the Lieutenant Governor in Council assigned to the Associate Minister.

*4 Section 3.1 is amended*

*(a) in subsection (1) by adding "or the Associate Minister" after "Minister";*

## **Explanatory Notes**

**1** This Bill will amend chapter D-18 of the Revised Statutes of Alberta 1980.

**2** Definitions.

**3** Section 2 presently reads:

*2 There shall be a department of the Government called the Department of Energy and Natural Resources over which shall preside the member of the Executive Council appointed by the Lieutenant Governor under the Great Seal of the Province as Minister of Energy and Natural Resources.*

**4** Section 3.1 presently reads:

*3.1(1) The Minister may delegate in writing to any person any power or duty conferred or imposed on him by this Act or any other Act or regulation under his administration.*

*(b) in subsection (2) by adding “responsible” after “duty of the”.*

*5 Section 4(1) is amended by adding “or the Associate Minister” after “Minister”.*

*6 Section 5 is amended*

*(a) in subsection (1) by adding “or the Associate Minister” after “Minister”;*

*(b) in subsection (2)*

*(i) by adding “responsible” before “Minister”, and*

*(ii) by adding “by him” after “established”;*

*(c) in subsections (3) and (4) by adding “responsible” before “Minister”.*

*7 Section 6 is amended*

*(a) in subsection (1) by adding “or the Associate Minister” after “Minister”;*

*(b) in subsection (2) by adding “responsible” before “Minister”, wherever it occurs.*

*(2) Subsection (1) does not apply to any power or duty of the Minister to make regulations.*

**5 Section 4(1) presently reads:**

*4(1) The Minister may enter into an agreement on or in connection with any policy, program, service or other matter under his administration.*

**6 Section 5 presently reads:**

*5(1) The Minister may establish any boards, committees or councils he considers necessary or desirable to act in an advisory or administrative capacity in connection with any of the policies, programs, services or other matters under his administration.*

*(2) The Minister may, with respect to any board, committee or council established under this section,*

*(a) appoint or provide for the manner of the appointment of its members,*

*(b) prescribe the term of office of any member,*

*(c) designate a chairman, vice-chairman and secretary, and*

*(d) authorize, fix and provide for the payment of remuneration and expenses to its members.*

*(3) A board, committee or council established pursuant to this section may make rules of procedure, subject to the approval thereof by the Minister, governing the calling of its meetings and the conduct of business at its meetings.*

*(4) A board, committee or council established pursuant to this section may exercise the powers and shall perform the duties and functions that the Minister approves, confers or imposes on it.*

**7 Section 6 presently reads:**

*6(1) The Minister may make grants if*

*(a) he is authorized to do so by regulations under this section, and*

*(b) there is authority available in a supply vote for the purpose for which the grant is to be made.*

*(2) The Lieutenant Governor in Council may make regulations*

*(a) authorizing the Minister to make grants;*

*(b) prescribing the purposes for which grants may be made;*

*(c) governing applications for grants;*

*(d) prescribing the persons or organizations or classes of persons or organizations eligible for grants;*

*(e) specifying the conditions required to be met by any applicant for a grant to render that person eligible for the grant;*

*(f) prescribing the conditions on which a grant is made and requiring the repayment of the grant to the Government if the conditions are not met;*

*(g) providing for the payment of any grant in a lump sum or by instalments and prescribing the time or times at which the grant or the instalments may be paid;*

8 *The following is added after section 6:*

**6.1(1)** In this section and section 6.2,

(a) “department” means a department as defined in the *Department of Public Works, Supply and Services Act*;

(b) “supplies” means supplies as defined in the *Department of Public Works, Supply and Services Act*.

(2) There shall be established a revolving fund for the Department to enable the payment of costs relating to

(a) supplies and services for the use of the Department or for the purposes of providing them to others, including other departments, and

(b) supplies and services for the operation of grazing reserves.

(3) The Provincial Treasurer shall, on the requisition of the Minister or the Associate Minister, advance from the General Revenue Fund to the revolving fund any money required for a purpose described in subsection (2).

(4) The net amount outstanding at any time in respect of advances under subsection (3) shall not exceed \$5 000 000.

(5) The amount of charges for the provision of supplies and services paid for under subsection (2) from the revolving fund shall be credited in reduction of the amount of the advances made by the Provincial Treasurer under this section.

(6) As soon as practicable after the end of each fiscal year, the Minister and the Associate Minister, for the purposes of section 77 of the *Financial Administration Act*, shall ensure the preparation of financial statements covering the revolving fund for the immediately preceding fiscal year and a summary of the fund's assets and liabilities.

(7) The financial statements and summary of assets and liabilities shall be audited by the Auditor General.

**6.2(1)** Where supplies or services paid for from the revolving fund are provided to a department, the responsible Minister may charge that department for supplies and services in an amount that reflects their cost to the revolving fund.

*(h) limiting the amount of any grant or class of grant that may be made;*

*(i) authorizing the Minister to delegate in writing to any employee of the Government any duty, power or function respecting the payment of any grant;*

*(j) requiring any person receiving a grant to account for the way in which the grant is spent in whole or in part;*

*(k) authorizing the Minister to enter into an agreement with respect to any matter relating to the payment of a grant.*

*(3) Any regulation made under subsection (2) may be specific or general in its application.*

**8 Revolving fund and charges and credits for supplies and services.**

(2) Where supplies or services are paid for from the revolving fund for use by a department and their value is charged to and retained by the revolving fund, the responsible Minister may charge a fair rent or rate for their use to the department.

9 *The Public Service Act is amended in section 1*

(a) *in clause (b) by adding the following after subclause (iii):*

and includes, as the case may be, the part of a department

(iv) administered by a department head referred to in clause (c)(vi)(B), or

(v) for which a deputy head referred to in clause (d)(vi)(B) is responsible to the department head;

(b) *in clause (c) by repealing subclause (vi) and substituting the following:*

(vi) with respect to any other department,

(A) the member of the Executive Council having the administration of the department, or

(B) where the administration of the department is assigned to 2 or more members of the Executive Council, each member with respect to the part of the department over which he has the administration;

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



**9 Amends chapter P-31 of the Revised Statutes of Alberta 1980.**