

1984 BILL 60

Second Session, 20th Legislature, 33 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 60

**ELECTION FINANCES AND CONTRIBUTIONS
DISCLOSURE AMENDMENT ACT, 1984**

HON. MR. PAYNE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 60

1984

ELECTION FINANCES AND CONTRIBUTIONS DISCLOSURE 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 Election Finances and Contributions Disclosure Act is amended by this Act.*

2 *Section 1(1) is amended by adding the following after clause (l):*

(l.1) "prohibited corporation" means

(i) any Provincial corporation and any subsidiary of a Provincial corporation,

(ii) any corporation that does not carry on business in Alberta, or

(iii) any corporation designated by the Lieutenant Governor in Council;

(l.2) "Provincial corporation" means a Provincial corporation as defined in the *Financial Administration Act*;

3 *The following is added after section 2:*

2.1 The Lieutenant Governor in Council may designate corporations to be prohibited corporations for the purposes of this Act.

4 *The following is added after section 14:*

14.1 No prohibited corporation, person normally resident outside Alberta or trade union or employee organization other than a trade union or employee organization as defined in this Act shall make any contributions to a registered party, registered constituency association or registered candidate.

5 *Section 29 is amended*

(a) *in subsection (1)(a), by striking out "any corporation that does not carry on business in Alberta" and substituting "any prohibited corporation";*

(b) *in subsection (3), by striking out "a corporation that does not carry on business in Alberta" and substituting "a prohibited corporation".*

Explanatory Notes

1 This Bill will amend chapter E-3 of the Revised Statutes of Alberta 1980.

2 Definitions.

3 Designation of prohibited corporations.

4 Prohibition against the making of contributions by Crown corporation.

5 Section 29 presently reads:

29(1) No registered party, registered constituency association or registered candidate shall, directly or indirectly,

(a) knowingly accept contributions from any person normally resident outside Alberta, from any corporation that does not carry on business in Alberta or from a trade union or employee organization other than a trade union or employee organization as defined in this Act, or

6 *Section 41 is amended by striking out “or employee organization” and substituting “, employee organization or prohibited corporation”.*

7 *Section 43 is amended by adding the following after subsection (1):*

(1.1) When the Chief Electoral Officer is satisfied that a prohibited corporation has made a contribution in contravention of section 14.1, he may by written notice require the prohibited corporation to pay a penalty in an amount named in the notice equivalent to the amount contributed.

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

(b) contribute or transfer funds to any political party, constituency association or candidate not registered under this Act, except that during an election under the Canada Elections Act a registered party may transfer to a federal political party registered under the Election Expenses Act (Canada) an amount not exceeding, in the aggregate, \$150 for each candidate at a federal election in a federal electoral district in Alberta who is endorsed as a candidate by that federal party.

(2) In subsection (1) “during an election” has the meaning given to it in the Canada Elections Act.

(3) If the chief financial officer learns that a contribution was accepted by or on behalf of the political party, constituency association or candidate for whom he acts from a person normally resident outside Alberta or from a corporation that does not carry on business in Alberta, or from a trade union or employee organization other than a trade union or employee organization as defined in this Act, he shall, within 30 days after learning thereof, advise the Chief Electoral Officer in writing of the fact and circumstances.

6 Section 41 presently reads:

41 A corporation, trade union or employee organization that contravenes this Act is guilty of an offence and liable to a fine of not more than \$10 000.

7 Section 43 presently reads:

43(1) When the Chief Electoral Officer is satisfied that any person, corporation, trade union or employee organization has made one or more contributions in excess of an amount permitted under this Act, the Chief Electoral Officer may by written notice require that person, corporation, trade union or employee organization to pay a penalty in an amount named in the notice and being equivalent to the amount by which the contribution or contributions exceeded the amount permitted under this Act.

(2) All penalties collected under this section shall be paid by the Chief Electoral Officer to the Provincial Treasurer and become part of the General Revenue Fund.