

1986 BILL 8

Fourth Session, 20th Legislature, 35 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 8

**DEPARTMENT OF TECHNOLOGY, RESEARCH
AND TELECOMMUNICATIONS ACT**

THE MINISTER OF TECHNOLOGY, RESEARCH
AND TELECOMMUNICATIONS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 8

1986

DEPARTMENT OF TECHNOLOGY, RESEARCH AND TELECOMMUNICATIONS ACT

(Assented to _____, 1986)

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

Definitions

1 In this Act,

- (a) "Department" means the Department of Technology, Research and Telecommunications;
- (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 pursuant to an Act of the Legislature, by the Lieutenant Governor in Council or by a Minister of the Crown, or by any combination thereof;
- (c) "Minister" means the Minister of Technology, Research and Telecommunications;
- (d) "telecommunication" means any transmission, emission or reception of signs, signals, writings, images, sounds, data, message or intelligence of any nature by wire, radiocommunication, cable, waves or any electronic, electromagnetic or optical means but does not include the transmission, emission or reception of broadcasting that is a radiocommunication in which the transmissions are intended for direct reception by the general public.

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| Establishment of Department | <p>2 There shall be a department of the Government called the Department of Technology, Research and Telecommunications 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 Technology, Research and Telecommunications.</p> |
| Staff | <p>3 In accordance with the <i>Public Service Act</i> there may be appointed a Deputy Minister of Technology, Research and Telecommunications and any other employees required to conduct the business of the Department.</p> |
| Services of experts | <p>4(1) The Minister may engage the services of experts or persons having special technical or other knowledge to advise him or to inquire into and report to him on matters under his administration.</p> <p>(2) A person whose services are engaged under this section may be paid the remuneration and expenses that the Minister prescribes.</p> |
| Delegation of powers | <p>5(1) The Minister may delegate in writing to any person any power, duty or function conferred or imposed on him by this Act or any other enactment under his administration.</p> <p>(2) Subsection (1) does not apply to any power or duty of the Minister to make regulations.</p> |
| Advisory boards | <p>6(1) The Minister may establish any boards, committees or councils he considers necessary or desirable to act in an advisory capacity in connection with any of the policies, programs, services or other matters under his administration.</p> <p>(2) The Minister may, with respect to any board, committee or council established under this section,</p> <ul style="list-style-type: none"> (a) appoint or provide for the manner of 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. <p>(3) A board, committee or council established pursuant to this section may, with the approval of the Minister, make rules governing the calling of meetings, the procedure to be used at its meetings, reporting and any other matters as required.</p> <p>(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 or confers or imposes on it.</p> |
| Agreements | <p>7(1) The Minister may enter into agreements on or in connection with any policies, programs, services or other matters under his administration.</p> <p>(2) Without limiting subsection (1), agreements may be made under that subsection with the Government of Canada or the government of a province or any agency of the Government of Canada or the government of a province.</p> |

Powers and
functions

8(1) The Minister

(a) is responsible for the co-ordination of all policies, programs and activities of the Government of Alberta and any government agency in relation to all matters under his administration;

(b) may, as a representative of the Government of Alberta, maintain a liaison with the Government of Canada and its agencies and the governments of other provinces and their agencies in relation to matters under his administration;

(c) may carry out research projects or participate in research projects carried out by any individual or corporation, related to science, technology or telecommunications;

(d) may compile, study and assess information directly or indirectly related to science, technology and telecommunications with a view to using the results of the study and assessment for the purpose of better carrying out his functions and responsibilities under this or any other enactment and with a view to providing that information or those results to other departments of the Government, to any government agency and to the public;

(e) shall conduct a continuing review of research related to science, technology and telecommunications being carried out by the Government of Alberta or any government agency or by others and shall promote the co-ordination of that research and of facilities used for the research;

(f) may generally do any acts he considers necessary to promote the improvement of science, technology and telecommunications for the benefit of the people of Alberta and future generations.

(2) The Minister may acquire an interest in personal property including, without restricting the generality of the foregoing, technology, patents as defined in the *Patent Act* (Canada) and licences under that Act.

Grants

9(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 lump sum or the instalments may be paid;
- (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.

Guarantees
of loans

10(1) The Lieutenant Governor in Council may make regulations providing for guarantees and indemnities by the Government in respect of the repayment of loans or the performance of other obligations made or incurred, or that will be made or incurred, for the purpose of undertaking or developing projects that are beneficial to Alberta related to matters under the administration of the Minister.

(2) Regulations under subsection (1) may

- (a) prescribe the purposes for which a Government guarantee or indemnity may be given;
- (b) prescribe the persons or organizations or classes of persons or organizations eligible to apply for guarantees or indemnities;
- (c) prescribe the procedure for the submission of applications for guarantees or indemnities;
- (d) prescribe the form and content of applications for the guarantees or indemnities;
- (e) prescribe the conditions required to be met by applicants to render them eligible for guarantees or indemnities;
- (f) prescribe the terms and conditions on which guarantees or indemnities are to be given;
- (g) prescribe the security to be given to the Government by applicants in consideration of guarantees or indemnities;
- (h) define, for the purposes of this section, undertakings and developments constituting projects beneficial to Alberta related to matters under the administration of the Minister.

(3) A guarantee or indemnity given pursuant to the regulations under this section

- (a) shall be in the form approved by the Provincial Treasurer, and
- (b) may be executed on behalf of the Government by the Provincial Treasurer, the Deputy Provincial Treasurer or any other person designated by the Provincial Treasurer.

Amends
RSA 1980 cA-35

11 *Section 23 of the Alberta Research Council Act is repealed and the following is substituted:*

23 The Alberta Research Council shall prepare a financial report for the preceding fiscal year and an annual report on its activities in the preceding year and the reports shall be laid before the Legislative Assembly not later than 15 days after the opening of the session next following the preparation of the reports.

Consequential

12 *In the following enactments “Utilities and” is struck out wherever it occurs and “Technology, Research and” is substituted:*

| Act | Section number |
|--------------------------------------|-------------------|
| Alberta Government Telephones Act | 1(b) |
| Municipal Government Act | 173(3) |
| The Municipal Telephone Act | 3(2), (3) and (4) |
| Rural Mutual Telephone Companies Act | 1(a). |

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