

1986 BILL 3

First Session, 21st Legislature, 35 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 3

DEPARTMENT OF ENERGY ACT

THE MINISTER OF ENERGY

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 3

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DEPARTMENT OF ENERGY 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 Energy;
- (b) "Minister" means the Minister of Energy.
- Establishment
of Department **2** There shall be a department of the Government called the Department of Energy 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.
- Staff **3(1)** The Lieutenant Governor in Council may establish the offices of not more than 2 Deputy Ministers for the Department and shall designate the name of each office so established.
- (2)** In accordance with the *Public Service Act* there may be appointed
- (a) the Deputy Ministers whose offices are established under subsection (1), and
- (b) any other employees required to conduct the business of the Department.

	<p>(3) For the purposes of the <i>Public Service Act</i>, each of the Deputy Ministers appointed under subsection (2)(a) is a chief officer of the Department.</p>
Delegation	<p>4(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.</p> <p>(2) Subsection (1) does not apply to any power or duty of the Minister to make regulations.</p>
Agreement	<p>5(1) The Minister may enter into an agreement on or in connection with any policy, program, service or other matter under his administration.</p> <p>(2) Without limiting subsection (1), an agreement 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>
Advisory boards, committees or councils	<p>6(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.</p> <p>(2) The Minister may, with respect to any board, committee or council established by him under this section,</p> <ul style="list-style-type: none"> (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. <p>(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.</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>
Grants	<p>7(1) The Minister may make grants if</p> <ul style="list-style-type: none"> (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. <p>(2) The Lieutenant Governor in Council may make regulations</p> <ul style="list-style-type: none"> (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;
- (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.

Definition **8** In sections 10 to 13, “Advisory Committee” means the Advisory Committee on Heavy Oil and Oil Sands Development established under section 9.

Advisory Committee **9** There is hereby established a committee called the Advisory Committee on Heavy Oil and Oil Sands Development.

Members of Advisory Committee **10(1)** The Advisory Committee shall consist of the following members:

- (a) a member of the Legislative Assembly, who shall also be the chairman of the Advisory Committee;
 - (b) 3 persons who are representative of residents of those areas of Alberta containing heavy oil and oil sands resources;
 - (c) 1 person who is representative of organizations engaged in the business of developing or servicing heavy oil and oil sands resources;
 - (d) 1 person who is a representative of the Energy Resources Conservation Board;
 - (e) 1 person who is a representative of the Department.
- (2) The members of the Advisory Committee referred to
- (a) in subsection (1)(a), (b) and (c) shall be appointed by the Lieutenant Governor in Council, and
 - (b) in subsection (1)(d) and (e) shall be appointed by the Minister.

(3) Members of the Advisory Committee referred to in subsection (1)(b) and (c)

(a) shall be paid remuneration at the rates prescribed by the Lieutenant Governor in Council, and

(b) shall be paid their reasonable travelling and living expenses while absent from their ordinary places of residence and in the course of their duties as members of the Advisory Committee at the rate prescribed by the Lieutenant Governor in Council.

(4) The Advisory Committee may make by-laws regulating its proceedings and generally for the conduct and management of the business and affairs of the Committee.

(5) The *Regulations Act* does not apply to by-laws of the Advisory Committee.

Chairman and vice-chairman

11(1) The Minister shall designate 1 member referred to in section 10(1)(d) or (e) to be vice-chairman of the Advisory Committee.

(2) In the absence of the chairman, the vice-chairman shall act as and has all the powers of the chairman.

(3) In the absence of the chairman and the vice-chairman from a meeting of the Advisory Committee, the members present shall appoint an acting chairman, who shall act as and has all the powers of the chairman during the meeting.

Employees

12(1) In accordance with the *Public Service Act*, there may be appointed an executive director and any other employees required for the purpose of conducting the business and affairs of the Advisory Committee.

(2) The Advisory Committee may engage the services of persons having special, technical or other knowledge to advise it on any matter pertaining to the development of heavy oil or oil sands resources.

Functions of Advisory Committee

13(1) The functions of the Advisory Committee are the following:

(a) to provide a continuing liaison between the Minister and the representatives of communities that are or may be affected by the possible development of heavy oil or oil sands resources in the vicinity of those communities;

(b) to advise the Minister on the possible need for and scheduling of programs to provide public services and facilities in areas of Alberta affected by the development of heavy oil or oil sands resources in keeping with the pace and scale of that development;

(c) generally, to establish and co-ordinate a continuing communication among

(i) the organizations engaging in the business of the development of heavy oil and oil sands resources,

(ii) the residents of communities of Alberta directly affected by that development, and

(iii) the various departments and agencies concerned with the regulation of that development

in relation to those aspects of the development that affect the residents of Alberta.

(2) The Advisory Committee shall, on being requested to do so by an order of the Minister, hold public hearings for the purpose of receiving briefs and submissions on any matter pertaining to the development of heavy oil or oil sands resources specified in the order, and shall report on the matter to the Minister.

Consequential **14** *The following provisions are amended by striking out “and Natural Resources” wherever it occurs:*

Act	Section number
Alberta Energy Company Act	23(2)
Builders' Lien Act	26(5)
Department of the Environment Act	11(1)(g) and 12(2)(h)
Freehold Mineral Rights Tax Act	1(d) and (g)
Gas Resources Preservation Act	10(2)(a)
Gas Utilities Act	54
Land Surface Conservation and Reclamation Act	14,20(1) and 36(1),(2)
Mines and Minerals Act	1(1)(e) and (n)
Natural Gas Price Administration Act	1(1)(h)
Natural Gas Pricing Agreement Act	1(1)(i)
Oil Sands Conservation Act	19(2)(a) and (3)
Oil Sands Technology and Research Authority Act	1(g)
Petroleum Incentives Program Act	1(i) and 12(2)(a)
Petroleum Marketing Act	1(b) and (c)
Tax Recovery Act	20(5)
Turner Valley Unit Operations Act	17(1)(b)
Wilderness Areas, Ecological Reserves and Natural Areas Act	2(4)(b) and 6(2)

Expiry **15** Sections 8 to 13 expire on December 31, 1987 unless they are continued by an order of the Lieutenant Governor in Council.

Repeal **16** *The Department of Energy and Natural Resources Act is repealed.*