

1986 BILL 8

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First Session, 21st Legislature, 35 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 8

DEPARTMENT OF COMMUNITY AND  
OCCUPATIONAL HEALTH ACT

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THE MINISTER OF COMMUNITY AND  
OCCUPATIONAL HEALTH

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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1986

### DEPARTMENT OF COMMUNITY AND OCCUPATIONAL HEALTH 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 Community and Occupational Health;
- (b) "Minister" means the Minister of Community and Occupational Health.
- Establishment of Department      **2** There shall be a department of the Government called the Department of Community and Occupational Health 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 Community and Occupational Health.
- Staff      **3** In accordance with the *Public Service Act* there may be appointed a Deputy Minister of Community and Occupational Health and any other employees required to conduct the business of the Department.
- Services of experts      **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.

(2) A person whose services are engaged under this section may be paid the remuneration and expenses that the Minister prescribes.

Delegation  
of powers

**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.

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

Agreements

**6(1)** The Minister may enter into agreements on or in connection with any policies, programs, services or other matters under his administration.

(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.

Advisory boards,  
committees  
or councils

**7(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 and a vice-chairman, and
- (d) authorize, fix and provide for the payment of remuneration and expenses to its members.

(3) A board, committee or council established under this section may with the approval of the Minister make rules of procedure governing the calling of meetings, the procedure to be used at its meetings, reporting and any other matters as required.

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

(5) The Minister may require any person appointed to a board, committee or council established under this section to take an oath, before beginning his duties, that he will not, except as authorized by the Minister, divulge any information received by him in the course of his duties as a member of the board, committee or council.

Powers and  
functions

## **8 The Minister**

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

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

(c) may carry out research projects and inquiries or participate in research projects and inquiries related to any policies, programs, services or other matters under his administration;

(d) may collect, study and assess information directly or indirectly related to any policies, programs, services or other matters under his administration and disseminate that information;

(e) may take or direct measures he considers appropriate to prevent and suppress disease;

(f) may investigate and report to the Lieutenant Governor in Council on activities, agencies, organizations, associations or institutions not under the administration of any other member of the Executive Council that have for their object the community or occupational health of Albertans.

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.

Payments  
in advance

**10(1)** The Minister may make a payment in advance to a person or organization providing a service under a program under the administration of the Minister for which that person or organization will be entitled to payment, if

(a) there is money available in a supply vote for that purpose, and

(b) the Minister is authorized to do so by the regulations under subsection (2).

(2) The Lieutenant Governor in Council may make regulations governing the conditions and circumstances under which advance payments may be made under subsection (1).

(3) Regulations made under subsection (2) may be specific or general in their application.

(4) If the Minister makes an advance payment under this section, section 39 of the *Financial Administration Act* does not apply.

Transfer of  
hospital, etc.

**11(1)** In this section,

(a) “Government hospital facility” means any land owned by the Crown in right of Alberta and under the administration of the Minister, including buildings and improvements thereon, that is used or is suitable for use in providing diagnostic services, treatment or care for ill or injured persons;

(b) “hospital board” means

(i) a district board as defined in the *Hospitals Act*;

(ii) the owner of a non-district hospital as defined in the *Hospitals Act*;

(iii) the owner of a nursing home as defined in the *Nursing Homes Act*;

(iv) the board of management of a Provincial General Hospital under the *Provincial General Hospitals Act*;

(v) the Alberta Cancer Board;

(vi) the University Hospitals Board under the *University of Alberta Hospitals Act*;

(vii) the Alberta Alcohol and Drug Abuse Commission;

(viii) the Minister of Hospitals and Medical Care.

(2) Subject to the approval of the Lieutenant Governor in Council, the Minister may enter into an agreement with a hospital board providing for any or all of the following:

(a) the transfer, sale or lease of any Government hospital facility to the hospital board;

(b) the transfer, sale or lease to the hospital board of all or any specified supplies, equipment or other personal property located in or used in connection with a Government hospital facility;

(c) the transfer of patients in a Government hospital facility to the care of the hospital board and the responsibilities of the hospital board assuming the care of those patients;

(d) the transfer of employees of the Department to the employment of the hospital board and any matters related to the salary rates, conditions of employment and pension plans or arrangements applicable to those employees on their transfer.

(3) An agreement under this section may provide terms or conditions with respect to the matters enumerated in subsection (2).

(4) The Lieutenant Governor in Council may make any order he considers necessary for the purpose of implementing or facilitating any of the matters provided for in the agreement or to alleviate any difficulty arising in the course of implementing the agreement.

(5) A transfer, sale or lease of a Government hospital facility or personal property pursuant to an agreement under this section may be made for a nominal consideration or for a price less than its market value.

Consequential

**12(1)** *The following provisions are amended by striking out “Social Services and Community Health” wherever it occurs and substituting “Community and Occupational Health”:*

Act	Section Number
Department of the Environment Act	11(1)(c) and 12(2)(d)
Family and Community Support Services Act	1(a)
Marriage Act	22(4)
Municipal Government Act	205(1) and 225(2)
Municipal Taxation Act	163
Nursing Assistants Registration Act	2(4)
Nursing Service Act	1(b)(iii) and (d)
Pharmaceutical Association Act	58(4)
Universities Act	52(4) and (5)
Vital Statistics Act	25(1)

(2) *The Alberta Health Care Insurance Act is amended in section 13(3) by striking out “or the Division of Social Hygiene of the Department of Social Services and Community Health” and substituting “under the Child Welfare Act, the Sexually Transmitted Disease Control Division of the Department of Community and Occupational Health”.*

(3) *The Health Disciplines Act is amended*

*(a) in section 2(3)(a)(iii) by striking out “and Community Health” and substituting “or by the Minister of Community and Occupational Health”;*

*(b) in section 3(7)*

*(i) by adding the following after clause (a):*

**(a.1) the Department of Community and Occupational Health, designated by the Minister of Community and Occupational Health,**

*(ii) in clause (c) by striking out “and Community Health” wherever it occurs.*

*(4) The Ophthalmic Dispensers Act is amended in section 31(1) by striking out “the Director of the Division of Medical Services of the Department of Social Services and Community Health or an alternate appointed by the Minister and 6 other” and substituting “7”.*

Repeal

**13** *The Department of Social Services and Community Health Act is repealed.*