

1987 BILL 205

Second Session, 21st Legislature, 36 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 205

ENVIRONMENT CONSERVATION ACT

DR. BUCK

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 205
Dr. Buck

BILL 205

1987

ENVIRONMENT CONSERVATION ACT

(Assented to , 1987)

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

Short title

1 This Act may be cited as the *Environment Conservation Act*.

Definitions

2 In this Act,

(a) “Authority” means the Environment Conservation
Authority established under this Act;

(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 a quasi-judicial or governmental
function and whose members are appointed by an Act
of the Legislature, the Lieutenant Governor in Council,
or a Minister of the Crown, or any combination thereof;

(c) “Minister” means the Minister of the Environment;

(d) “natural resources” means land, plant life, animal life,
water and air;

(e) “public advisory committee” means a public committee on environment conservation appointed under section 9.

Environment
conservation

3 For the purposes of this Act, the following are matters pertaining to environment conservation:

(a) the conservation, management and utilization of natural resources;

(b) the prevention and control of pollution of natural resources;

(c) the control of noise levels resulting from commercial or industrial operations insofar as they affect the environment in the vicinity of those operations;

(d) economic factors that directly or indirectly affect the ability of persons to carry out measures that relate to the matters referred to in clauses (a), (b) and (c);

(e) any operations or activities, whether carried on for commercial or industrial purposes or otherwise,

(i) that adversely affect or are likely to adversely affect the quality or quantity of any natural resource, or

(ii) that destroy, disturb, pollute, alter or make use of a natural resource or are likely to do so;

(f) the preservation of natural resources for their aesthetic value;

(g) laws in force in Alberta that relate to or directly or indirectly affect natural resources.

Environment
Conservation
Authority

4(1) There is hereby established a corporation called the “Environment Conservation Authority” consisting of 4 members appointed by the Lieutenant Governor in Council.

(2) The Lieutenant Governor in Council shall designate 1 of the members of the Authority as chairman and another as vice-chairman.

(3) The vice-chairman is the acting chairman of the Authority in the event of the absence or inability to act of the chairman or in the event that the office of the chairman is vacant.

(4) Members of the Authority

(a) shall be paid salaries in accordance with a schedule of salary 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 Authority, at rates prescribed by the Lieutenant Governor in Council

(5) The *Public Service Pension Act* applies to the members of the Authority.

Meetings

5(1) The Authority shall meet at the call of the chairman.

(2) A quorum of the Authority shall consist of 2 members, 1 of whom shall be the chairman or the vice-chairman.

(3) The Authority may make rules respecting the calling of meetings of the Authority and the conduct of business thereat, and generally as to the conduct of the business and affairs of the Authority.

Employees

6 In accordance with the *Public Service Act* there may be appointed a secretary and any other employees as may be required for the purpose of providing clerical and secretarial services to the Authority.

Functions of
Authority

7(1) The Authority

(a) shall conduct a continuing review of policies and programs of the Government and government agencies on matters pertaining to environment conservation and shall report thereon to the Minister;

(b) may, after consultation with the Minister, inquire into any matter pertaining to environment conservation and make its recommendations and report thereon to the Minister;

(c) shall, when required to do so by an order of the Lieutenant Governor in Council, inquire into any matter pertaining to environment conservation that is specified in the order and make its recommendations and report thereon to the Lieutenant Governor in Council;

(d) may require any officers or employees of any department of the Government or any government agency to provide information that, in the opinion of the Authority, is necessary for the purposes of enabling it to carry out its responsibilities;

(e) may, and when required to do so by an order of the Lieutenant Governor in Council or of the Minister, hold public hearings for the purpose of receiving briefs and submissions on any matter pertaining to environment conservation, and shall report thereon to the Lieutenant Governor in Council and the Minister;

(f) may from time to time as it considers necessary, but at least once a year, hold joint meetings with the public advisory committees;

(g) may refer any matter pertaining to environment conservation to the Department of the Environment for its recommendations and report thereon;

(h) may engage the services of persons having special technical or other knowledge in connection with an inquiry of any matter pertaining to environment conservation that the Authority has undertaken or proposes to undertake;

(i) through the medium of the Department of the Environment, shall use its best efforts to achieve co-ordination of policies, programs and administrative procedures of the Government and government agencies relating to matters pertaining to environment conservation;

(j) shall make a report in each year to the Minister

(i) summarizing generally its activities and affairs in the preceding year,

(ii) summarizing the recommendations made by it to the Lieutenant Governor in Council and to the Department of the Environment in the preceding year, and

(iii) showing any reports or studies prepared in the preceding year at the request of the Lieutenant Governor in Council or the Minister.

(2) When a report by the Authority under subsection (1)(j) is received by the Minister, the Minister shall lay a copy of it before the Legislative Assembly if it is then sitting and if not then sitting, within 15 days after the commencement of the next sitting.

Banking

8(1) Subject to the approval of the Minister, the Authority may make such banking arrangements as are necessary for the carrying out of its duties and functions.

(2) The fiscal year of the Authority is the period from April 1 to the next succeeding March 31.

(3) The Authority is in respect of its accounts and financial transactions subject to audit by the Provincial Auditor from time to time and at least once every year.

(4) The Provincial Treasurer shall pay to the Authority the moneys appropriated by the Legislature for the purpose of the Authority, except the moneys appropriated for the salaries payable to the members and employees of the Authority, in equal monthly installments unless otherwise agreed between the Authority and the Provincial Treasurer.

(5) Subsistence and travelling allowances payable to the employees of the Authority under the regulations under the *Public Service Act* shall be paid by the Authority from its funds.

Public advisory committees

9 The Authority may

(a) appoint 1 or more public advisory committees on environment conservation, and

(b) prescribe the duties and functions of a public advisory committee.

Regulations

10 The Lieutenant Governor in Council may make regulations

(a) providing for any procedure or matter for the purpose of facilitating the functions of the Authority, or a public advisory committee and the relations between them,

(b) prescribing the rates of remuneration to be paid to members of a public advisory committee for their travelling and living expenses incurred in the course of their duties as members of a committee, and

(c) providing for any other matter considered necessary to carry out the purposes of this Act.

Repeals c. E-13, RSA 1980

11 *The Environment Council Act is repealed.*

Coming into force

12 This Act comes into force on Proclamation which shall not be earlier than the effective date of the first appropriation of money by the Legislature to the purposes of this Act.