

1988 BILL 60

THIRD SESSION, 21st LEGISLATURE,
37 ELIZABETH II

THE LEGISLATIVE ASSEMBLY
OF ALBERTA

BILL 60

LANGUAGES ACT

THE ATTORNEY GENERAL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

1988 PROJET DE LOI 60

3^e SESSION, 21^e LÉGISLATURE,
37 ELIZABETH II

L'ASSEMBLÉE LÉGISLATIVE
DE L'ALBERTA

PROJET DE LOI 60

LOI LINGUISTIQUE

PROCUREUR GÉNÉRAL

1^{re} lecture

2^e lecture

comité plénier

3^e lecture

sanction royale

BILL 60

1988

LANGUAGES ACT

(Assented to , 1988)

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

Definitions

1 In this Act,

“Act” means an Act of the Legislature;

“Assembly” means the Legislative Assembly of Alberta;

“Ordinance” means an Ordinance of the North-West Territories that is or was at any time in force in Alberta or that part of the North-West Territories that formed Alberta;

“regulation” means a regulation, order, by-law or rule that is enacted under an Act or an Ordinance;

“Standing Orders” means the document of the Assembly entitled the “Standing Orders of the Legislative Assembly of Alberta”.

Validation of Acts and other matters

2(1) All Acts, Ordinances and regulations enacted prior to the coming into force of this Act are declared valid notwithstanding that they were enacted, printed and published in English only.

(2) All

(a) actions, proceedings, transactions or other matters taken, done or arising by or under an Act, Ordinance or regulation validated under subsection (1) are declared not to be invalid,

(b) rights, obligations, duties, powers and other effects created, limited, revoked or otherwise dealt with by or under an Act, Ordinance or regulation validated under subsection (1) are declared not to have been invalidly created, limited, revoked or otherwise dealt with, and

(c) matters or things, in addition to those referred to in clauses (a) and (b), done by, in, in reliance on or under an Act, Ordinance or regulation validated under subsection (1) are declared not to have been invalidly done,

solely by reason of the fact that the Act, Ordinance or regulation was enacted, printed and published in English only.

PROJET DE LOI 60

1988

LOI LINGUISTIQUE

(Sanctionnée 1988)

Sa Majesté, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Alberta, édicte ce qui suit:

Définitions

1 Dans la présente loi

«Assemblée» désigne l'Assemblée législative de l'Alberta;

«loi» désigne une loi de la Législature de l'Alberta;

«ordonnance» désigne les Ordonnances des Territoires du Nord-Ouest en vigueur à un moment donné en Alberta ou dans la partie de ces territoires dont elle a été formée;

«règlements de l'Assemblée» désigne le document intitulé «Standing Orders of the Legislative Assembly of Alberta»;

«règlements» désigne les règlements, décrets, arrêtés, règlements administratifs ou règles édictés en application d'une loi ou d'une ordonnance.

Validation des lois et actes divers

2(1) Il est déclaré que les lois, ordonnances et règlements édictés antérieurement à l'entrée en vigueur de la présente loi sont tous valides, indépendamment du fait qu'ils ont été édictés, imprimés et publiés en anglais seulement.

(2) Il est déclaré qu'aucun des actes accomplis sous le régime, en conséquence ou sur le fondement de lois, ordonnances ou règlements validés par le paragraphe (1) n'est invalide du seul fait que ces lois, ordonnances ou règlements n'ont été édictés, imprimés et publiés qu'en anglais. Sont notamment visées les actions, procédures, opérations ou autres initiatives, ainsi que la création, la limitation ou la suppression de droits, obligations, pouvoirs, attributions ou autres effets, ou la prise de toute autre mesure à cet égard.

Language of Acts and regulations	3 All Acts and regulations may be enacted, printed and published in English.
Language in the courts	<p>4(1) Any person may use English or French in oral communication in proceedings before the following courts:</p> <ul style="list-style-type: none"> (a) the Court of Appeal of Alberta; (b) the Court of Queen's Bench of Alberta; (c) The Surrogate Court of Alberta; (d) The Provincial Court of Alberta. <p>(2) The Lieutenant Governor in Council may make regulations for the purpose of carrying into effect the provisions of this section, or for any matters not fully or sufficiently provided for in this section or in the rules of those courts already in force.</p>
Language in the Assembly	<p>5(1) Members of the Assembly may use English and French in the Assembly.</p> <p>(2) The Standing Orders and the records and journals of the Assembly, within the meaning of section 110 of <i>The North-West Territories Act</i> (Canada) as it applied to Alberta, made before the coming into force of this section are declared valid notwithstanding that they were made, printed and published in English only.</p> <p>(3) The Standing Orders and records and journals of the Assembly may be made, printed and published in English.</p> <p>(4) The Assembly may, by resolution, direct that all or part of the Standing Orders or the records and journals of the Assembly shall be made, printed and published in English or French or both.</p>
Effect of validation	6 The declaration of validity of Acts, Ordinances, regulations and the Standing Orders under this Act does not revive any Act, Ordinance, regulation and Standing Order that has been repealed, substituted or superseded or that has otherwise ceased to be in force on or before the day this Act comes into force.
Non-application	7 Section 110 of <i>The North-West Territories Act</i> , chapter 50 of the Revised Statutes of Canada, 1886, as it existed on September 1, 1905, does not apply to Alberta with respect to matters within the legislative authority of Alberta.
English and French versions	8 The English version and the French version of this Act are equally authoritative.