

1992 BILL 17

Fourth Session, 22nd Legislature, 41 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 17

IRRIGATION DISTRICT REHABILITATION
ENDOWMENT FUND ACT

THE ASSOCIATE MINISTER OF AGRICULTURE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 17

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IRRIGATION DISTRICT REHABILITATION ENDOWMENT FUND ACT

(Assented to _____, 1992)

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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) "Committee" means the Irrigation District Rehabilitation Endowment Fund Committee;
- (b) "Fund" means the Irrigation District Rehabilitation Endowment Fund;
- (c) "irrigation district" means a district and an irrigation district under the *Irrigation Act*;
- (d) "irrigation works" has the same meaning as in the *Irrigation Act*;
- (e) "Minister" means the Minister charged with the administration of the *Irrigation Act*.

Fund

2(1) The Irrigation District Rehabilitation Endowment Fund is established for the purpose of making grants to irrigation districts for rehabilitation projects related to irrigation works.

(2) The following may be deposited into the Fund:

- (a) money invested for the purpose of this Act under the *Alberta Heritage Savings Trust Fund Act*;
- (b) donations to the Fund;
- (c) money received under agreements made, for achieving the purpose of the Fund, between the Government of Alberta as represented by the Minister and either another government or another person.

(3) The money invested for the purpose of this Act under the *Alberta Heritage Savings Trust Fund Act* shall be paid into the Fund.

(4) The Provincial Treasurer

- (a) shall hold and administer the Fund and has the same powers of investment with respect to the Fund that he has with respect to the General Revenue Fund under the *Financial Administration Act*, and
- (b) may, on behalf of the Fund, be a depositor in a Consolidated Cash Investment Trust Fund under the *Financial Administration Act*.

(5) The income of the Fund accrues to and forms part of the Fund.

Committee
established

3(1) There is hereby established a committee called the "Irrigation District Rehabilitation Endowment Fund Committee" consisting of the following persons appointed by the Minister:

- (a) 2 persons who are members of a board of an irrigation district;
- (b) 2 persons who are members of the Irrigation Council;
- (c) a member of the Legislative Assembly, who shall chair the Committee.

(2) The Minister may designate a member of the Committee as the vice-chair.

Committee duties

4 The Committee shall

- (a) in consultation with the Irrigation Council, develop recommendations for the Minister on making grants for rehabilitation projects related to irrigation works approved by the Irrigation Council,
- (b) in consultation with the Irrigation Council, recommend to the Minister
 - (i) the nature of rehabilitation projects for which grants may be made from the Fund, and
 - (ii) the proportion of costs of a rehabilitation project that is eligible for a grant from the Fund,

and

- (c) as soon as practicable after the end of each fiscal year of the Crown, prepare a report summarizing its affairs and forward it to the Minister.

Fund payments

5(1) The Minister may, in accordance with this Act and the regulations and on receipt of recommendations under section 4, request that grants be made from the Fund to irrigation districts for rehabilitation projects related to irrigation works.

(2) The Provincial Treasurer shall, at the request of the Minister made on reasonable notice, pay from the Fund money that is required by the Minister for making grants.

(3) A grant may not be made from the Fund if any money is available under the Irrigation Rehabilitation and Expansion Project under the *Alberta Heritage Savings Trust Fund Act*.

Limitation on payments

6(1) No money shall be paid out of the Fund if the payment would result in the value of the assets of the Fund being less than the amounts paid into it.

(2) For the purposes of subsection (1), the assets of the Fund shall be valued at cost.

Regulations **7(1)** The Lieutenant Governor in Council may make regulations

- (a) respecting the rehabilitation projects related to irrigation works for which grants may be made;
- (b) respecting applications for grants;
- (c) respecting the conditions required to be met by an irrigation district to render it eligible for a grant;
- (d) respecting the conditions on which a grant is made and requiring the repayment of the grant to the Fund if the conditions are not met;
- (e) providing for the payment of a 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;
- (f) limiting the amount of a grant or class of grant;
- (g) authorizing the Minister to delegate in writing to any employee or agent of the Government any duty or power respecting the payment of a grant;
- (h) requiring the recipient to account for the way in which the grant is spent in whole or in part;
- (i) respecting any matter relating to the payment of a grant;
- (j) respecting the preparation and submission of reports by the Committee.

(2) Regulations made under subsection (1) may be specific or general in their application.

(3) Notwithstanding subsection (1)(d), the Minister may impose further conditions not prescribed in the regulations on the making of a particular grant.

Annual report **8** The Provincial Treasurer shall, as soon as practicable after the end of each fiscal year of the Crown, prepare in accordance with the *Financial Administration Act* a report of the financial transactions of the Fund during the preceding fiscal year.