

1992 BILL 30

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Fourth Session, 22nd Legislature, 41 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 30

DEPARTMENT OF TOURISM, PARKS  
AND RECREATION ACT

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THE MINISTER OF TOURISM, PARKS AND RECREATION

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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1992

## DEPARTMENT OF TOURISM, PARKS AND RECREATION 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) "Department" means the Department of Tourism, Parks and Recreation;
- (b) "Minister" means the Minister of Tourism, Parks and Recreation.

|   |  |
|---|--|
| Establishment of Department             | <b>2</b> There shall be a department of the Government called the Department of Tourism, Parks and Recreation 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 Tourism, Parks and Recreation.   |
| Staff                                   | <b>3</b> In accordance with the <i>Public Service Act</i> there may be appointed a Deputy Minister of Tourism, Parks and Recreation and any other employees required to conduct the business of the Department.  |
| Services of experts                     | <b>4(1)</b> 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.<br><br><b>(2)</b> A person whose services are engaged under this section may be paid the remuneration and expenses that the Minister prescribes.   |
| Delegation of power                     | <b>5(1)</b> The Minister may in writing delegate any power, duty or function conferred or imposed on him by this Act or any other enactment under his administration to any employee of the Department or any member, officer or employee of an agent of the Crown in right of Alberta.<br><br><b>(2)</b> Subsection (1) does not apply to any power or duty of the Minister to make regulations.                  |
| Agreements                              | <b>6(1)</b> The Minister may enter into agreements on or in connection with any policies, programs, services or other matters under the Minister's administration.<br><br><b>(2)</b> 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 | <b>7(1)</b> The Minister may establish any boards, committees or councils that the Minister 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 the Minister's administration.<br><br><b>(2)</b> 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 chair, vice-chair and secretary, and
- (d) authorize, fix and provide for the payment of remuneration and expenses to its members.

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

(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.

**Grants**

**8(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 power, duty 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) A regulation made under subsection (2) may be specific or general in its application.

Guarantees of  
loans

**9(1)** The Lieutenant Governor in Council may make regulations providing for guarantees and indemnities by the Government in respect of the repayment of loans or the performance of other obligations made or incurred, or that will be made or incurred, for the purpose of undertaking or developing projects beneficial to tourism in Alberta.

(2) Regulations under subsection (1) may

- (a) prescribe the purposes for which a Government guarantee or indemnity may be given;
- (b) prescribe the persons or organizations or classes of persons or organizations eligible to apply for guarantees or indemnities;
- (c) prescribe the procedure for the submission of applications for guarantees or indemnities;
- (d) prescribe the form and contents of applications for guarantees or indemnities;
- (e) prescribe the conditions required to be met by applicants to render them eligible for guarantees or indemnities;

- (f) prescribe the terms and conditions on which guarantees or indemnities are to be given;
- (g) prescribe the security to be given to the Government by applicants in consideration of guarantees or indemnities;
- (h) define, for the purposes of this section, undertakings and developments constituting projects beneficial to tourism.

(3) A guarantee or indemnity given pursuant to the regulations under this section

- (a) shall be in the form approved by the Provincial Treasurer, and
- (b) may be executed on behalf of the Government by the Provincial Treasurer, the Deputy Provincial Treasurer or any other person designated by the Provincial Treasurer.

Revolving fund **10(1)** In this section, “department” means a department as defined in the *Department of Public Works, Supply and Services Act*.

(2) The Minister shall establish and administer a revolving fund for the Department to enable the Minister

- (a) to acquire by purchase or lease supplies, material, equipment or other things and to offer articles and services related to tourism, parks and recreation or for any activity, program, operation or matter for which the Minister is responsible to others, including other departments, and
- (b) to pay honorariums, fees, commissions, wages, rent or expenses.

(3) The Provincial Treasurer shall, on the requisition of the Minister, advance from the General Revenue Fund to the revolving fund any money required by the Minister to pay for matters referred to in subsection (2)(a) or (b).

(4) The net amount outstanding at any time in respect of advances under subsection (3) shall not exceed \$1 250 000.

(5) If articles or services are acquired at the expense of the revolving fund, the Minister may charge any price or fee for the

article or service on selling, disposing of or providing it to a department or a person.

(6) The amount charged and received for the provision of articles and services paid for from the revolving fund under subsection (2) shall be credited in reduction of the amount of the advances made by the Provincial Treasurer under this section.

(7) An amount equal to the amounts charged and received under subsection (2) from April 1, 1992 to the date this section comes into force must be transferred from the General Revenue Fund to the revolving fund and the amount transferred must be shown as a deduction from the revenue accounts of the General Revenue Fund.

**Fees**                    **11** The Minister may charge fees for any service or materials provided or research done by the Department.

**Acquisition of property**                    **12(1)** The Minister may acquire any estate or interest in land and any personal property in conjunction with the estate or interest

- (a) for the purpose of implementing or carrying out the provisions of an agreement entered into under section 6,
- (b) for the purpose of a tourism program or development, or
- (c) for any other purpose in relation to a matter under the administration of the Minister.

(2) Land acquired under this section shall be under the administration of the Minister of Forestry, Lands and Wildlife unless an order of the Lieutenant Governor in Council specifies that it is under the administration of some other minister.

**Disposition of land**                    **13(1)** The Lieutenant Governor in Council may make regulations

- (a) authorizing the Minister to make dispositions of land;
- (b) restricting the use to be made of land that is the subject of the dispositions;
- (c) prescribing the duties and obligations of the persons to whom the dispositions are made in relation to the use and occupation of the land by them;

- (d) prescribing the terms and conditions to which dispositions of land are subject;
- (e) prescribing the conditions under which the Minister may cancel a disposition;
- (f) providing for the arbitration and settlement of any matter relating to the regulations or the dispositions made under them;
- (g) establishing the procedure for the submission of applications for dispositions and the requirements to be met by applicants to render them eligible to obtain dispositions of land;
- (h) prohibiting, or requiring that the consent of the Minister be obtained for, assignments of any class of dispositions and, with respect to any class of dispositions that may not be assigned without the consent of the Minister, prescribing any conditions to be met before the consent may be given in a particular case;
- (i) prescribing the rate of interest payable on money owing under any disposition that is not paid within one month from the date it is due;
- (j) governing tenders or proposals made in respect of dispositions.

(2) The Minister may make regulations governing the fees payable in respect of dispositions.

Consequential **14(1)** *The Financial Administration Act is amended in section 1(1)(u)*

- (a) *by repealing subclause (vi);*
- (b) *by repealing subclause (xi) and substituting the following:*
  - (xi) *the revolving fund established under section 10 of the Department of Tourism, Parks and Recreation Act,*

(2) *The Tourism Education Council Act is amended in section 1(b) by adding “, Parks and Recreation” after “Tourism”.*



**(3) The following provisions are amended by striking out “Recreation and Parks” wherever it occurs and substituting “Tourism, Parks and Recreation”:**

| Act  | Section                      |
|--|------------------------------|
| Alberta Sport Council Act                                      | 1(c)                         |
| Department of the Environment Act                              | 11(1)(f) and<br>12(2)(g)     |
| Highway Traffic Act  | 13, 14(1)(d) and<br>70(6)    |
| Provincial Parks Act   | 1(c), 7.2 and<br>10(1)(a)    |
| Recreation, Parks and Wildlife<br>Foundation Act               | 1(b)                         |
| Wilderness Areas, Ecological<br>Reserves and Natural Areas Act | 1(d)(i), 2(4)(a)<br>and 6(3) |

**Repeal**      **15** *The Department of Tourism Act and the Department of Recreation and Parks Act are repealed.*