

1992-93 BILL 64

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Fourth Session, 22nd Legislature, 42 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 64

SAFETY CODES AMENDMENT ACT, 1993

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THE MINISTER OF LABOUR

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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## BILL 64

1992-93

### SAFETY CODES AMENDMENT ACT, 1993

(Assented to \_\_\_\_\_, 1993)

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

1 *The Safety Codes Act is amended by this Act.*

2 *Section 12 is amended*

- (a) *in subsection (1) by striking out “or Administrators” and substituting “, accredited agencies or their employees or officers or Administrators”;*
- (b) *in subsection (2) by striking out “and an accredited municipality” and substituting “, an accredited municipality and an accredited agency”.*

3 *Section 16 is amended*

- (a) *in subsection (1) by striking out “consisting of the members appointed by the Minister”;*
- (b) *by adding the following after subsection (1):*

**(1.1)** On the coming into force of this subsection, the Council shall consist of members appointed as follows:

- (a) not more than 40% of the members shall be appointed by the Minister, and
- (b) at least 60% of the members shall be appointed by the Co-ordinating Committee of the Safety Codes Council, established by a Council by-law.

## Explanatory Notes

**1** Amends chapter S-0.5 of the Statutes of Alberta, 1991.

**2** Section 12(1) and (2) presently read:

*12(1) No action lies against the Crown, the Council, members of Council, safety codes officers, accredited municipalities or their employees or officers or Administrators for anything done or not done by any of them in good faith while exercising their powers and performing their duties under this Act.*

*(2) The Crown and an accredited municipality acting in good faith under this Act are not liable for any damage caused by a decision related to the system of inspections, examinations, evaluations and investigations, including but not limited to a decision relating to their frequency and the manner in which they are carried out.*

**3** Section 16 presently reads:

*16(1) There is hereby established a corporation to be known as the "Safety Codes Council" consisting of the members appointed by the Minister.*

*(2) Among the persons appointed to the Council the Minister shall include persons who are experts in fire protection, buildings, electrical systems, elevating devices, gas systems, plumbing systems, private sewage disposal systems or pressure equipment.*

*(3) The Minister shall ensure that representatives of municipalities, business and labour are appointed to the Council from among the persons described in subsection (2).*

*(4) An Administrator is not eligible to be a member of the Council.*

- (c) *in subsection (2) by adding “and the Committee” after “Minister”;*
- (d) *in subsection (3) by adding “and the Committee” after “Minister”.*

4 *Section 17 is repealed and the following is substituted:*

Expenses

**17** The Council may pay members of the Council travelling and living expenses while away from their ordinary places of residence in the course of their duties as members of the Council at the rates provided for in the regulations under the *Public Service Act*.

5 *Section 21 is amended*

(a) *in subsection (1) by striking out “subject to the approval of the Lieutenant Governor in Council and”;*

(b) *by repealing subsection (3) and substituting the following:*

(3) Any money that is derived from donations that is not immediately required for the operation of the Council may, subject to any trust or condition to which the money is subject, be invested in investments in which trustees are authorized to invest money under the *Trustee Act*.

(4) The Council may spend money only for purposes related to the powers conferred and duties imposed on it under this Act.

(5) Notwithstanding the *Financial Administration Act*, any money received by the Council belongs to the Council.

6 *The following is added after section 21:*

*(5) The Minister shall designate one of the members of the Council to chair the Council and may designate others as alternates to chair the Council.*

*(6) A person appointed as a member of the Council*

*(a) holds office for a term not exceeding 3 years as prescribed in the appointment, and*

*(b) continues to hold office after the expiry of the term of office until the person is reappointed or a successor is appointed.*

*(7) If a member of the Council resigns or the appointment terminates, that person may, in relation to a proceeding in which the person participated as a member of the Council, perform and complete the duties or responsibilities and continue to exercise the powers that the person would have had if the person had not ceased to be a member, until that proceeding is completed.*

**4** Section 17 presently reads:

*17 The members of the Council may be paid, at the rates prescribed by the Minister,*

*(a) remuneration for the performance of their duties as members of the Council, and*

*(b) travelling and living expenses while away from their ordinary places of residence in the course of their duties as members of the Council.*

**5** Section 21 presently reads:

*21(1) The Council, subject to the approval of the Lieutenant Governor in Council and in connection with the powers conferred and duties imposed on it under this Act, may acquire real property, construct buildings or improvements or hold or dispose of real property.*

*(2) The Council, in connection with the powers conferred and duties imposed on it under this Act, may acquire, hold and dispose of personal property.*

*(3) Any money that is derived from donations that is not immediately required for the operation of the Council may, subject to any trust or condition to which the money is subject,*

*(a) be invested in investments in which trustees are authorized to invest trust money under the Trustee Act, and*

*(b) with the consent of the Provincial Treasurer, be deposited in the Consolidated Cash Investment Trust Fund.*

**6** Fees.

Fees

**21.1** The Council may establish and charge fees

- (a) for anything issued or for any material, information, education program or service the Council provides,
- (b) with respect to the conduct of appeals, and
- (c) for any research that is carried out that relates to any thing, process or activity to which this Act applies.

7 *Section 60(1) is repealed and the following is substituted:*

Fees

**60(1)** The Government may charge fees, in accordance with an order of the Minister,

- (a) for anything issued or for any material, information, education program or service provided by the Minister under this Act, and
- (b) for any research that is carried out by the Minister that relates to any thing, process or activity to which this Act applies.

8 *Section 61(1)(b) is amended by striking out “both” and substituting “any other enactment governing a profession or occupation”.*

9 *Section 3 comes into force on September 1, 1993.*

**7** Section 60(1) presently reads:

*60(1) The Government and the Council may charge fees, in accordance with an order of the Minister respecting fees,*

*(a) for anything issued, or for any material, information, education program or service provided under this Act,*

*(b) with respect to the conduct of appeals, and*

*(c) for any research that is carried out that relates to any thing, process or activity to which this Act applies.*

**8** Section 61(1) presently reads in part:

*61(1) The Lieutenant Governor in Council may make regulations*

*(b) respecting designs that require stamps or seals affixed by persons licensed or registered under the Architects Act or the Engineering, Geological and Geophysical Professions Act or both;*

**9** Coming into force.