

1994 BILL 3

Second Session, 23rd Legislature, 43 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 3

NATURAL GAS MARKETING AMENDMENT ACT, 1994

MR. COUTTS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 3
Mr. Coumts

BILL 3

1994

NATURAL GAS MARKETING AMENDMENT ACT, 1994

(Assented to _____, 1994)

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

1 *The Natural Gas Marketing Act is amended by this Act.*

2 *Section 13 is amended*

(a) in subsection (2)

(i) by repealing clause (b) and substituting the following:

(b) information to be furnished to the Commission, the persons required to furnish that information, the form in which that information must be furnished and the time within which the information must be furnished,

(ii) by adding "and" at the end of clause (c) and by adding the following after clause (c):

(d) the imposition of pecuniary penalties for failure to comply with subsection (3)(b).

(b) in subsection (3)(b) by adding "within the time prescribed by the regulations" after "required by the regulations".

Explanatory Notes

1 Amends chapter N-2.8 of the Statutes of Alberta, 1986.

2 Section 13 presently reads:

13(1) The Lieutenant Governor in Council may make regulations respecting the keeping of and the furnishing to the Commission of information relating to natural gas, marketable gas and products obtained by processing natural gas or marketable gas and required for the purposes of

- (a) evaluating, formulating or administering any policy or program of the Department of Energy, or*
- (b) administering any enactment under the administration of the Minister.*

(2) Regulations under this section may provide for any matter respecting

- (a) the keeping of records for the purposes of this Part and the persons required to keep them,*
- (b) the kinds of information to be furnished to the Commission and the persons required to furnish that information, and*
- (c) the confidentiality of records, returns and other information obtained by the Commission under this Part and the communication of and access to those records and returns and that information.*

3 Section 16(a) is amended by striking out “section 13(3)” and substituting “section 13(3)(a)”.

4 Section 24 is amended

(a) in subsection (2) by adding “, whether or not the corporation has been prosecuted for or convicted of the offence” after “provided for the offence”;

(b) by adding the following after subsection (2):

(3) A prosecution for an offence under this Act may be commenced within 36 months from the date on which the subject-matter of the offence arose, and not afterwards.

(3) A person required to do so by the regulations under this section shall

(a) keep records for the purposes of this Part in accordance with the regulations, and

(b) furnish to the Commission information required by the regulations.

3 Section 16 presently reads:

16 A person who

(a) fails to comply with section 13(3) or 15 or a notice under section 14, or

(b) files or submits to the Commission under this Act a report, return or other information or makes any statement or answers any question knowing that the report, return or other information is false or misleading or misrepresents or fails to disclose a material fact,

is guilty of an offence.

4 Section 24 presently reads:

24(1) A person who is guilty of an offence under this Act is liable to a fine of not more than

(a) \$100 000, or

(b) where the contravention occurs and continues for more than 1 day, \$25 000 for each day on which the offence occurs and continues.

(2) Where a corporation is guilty of an offence under this Act, an officer, director or agent of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is a party to and guilty of the offence and is liable to the fines provided for the offence.