

2000 BILL 3

Fourth Session, 24th Legislature, 49 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 3

STATUTE REVISION ACT

THE MINISTER OF JUSTICE AND ATTORNEY GENERAL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 3

2000

STATUTE REVISION ACT

(Assented to _____, 2000)

Table of Contents

Definitions	1
Preparation of revision	2
Revision powers	3
Deposit of revision	4
Coming into force of revision	5
Publication of revision	6
Repeal of previous versions of enactments	7
Legal effect of revision	8
Interpretation of references	9
Regulations	10

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

- Definitions **1** In this Act,
- (a) “enactment” means an Act or any portion of an Act;
 - (b) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.
- Preparation of revision **2** In accordance with this Act, the Chief Legislative Counsel for the Province of Alberta may prepare, under the general supervision of the Minister, a revision of any or all of the public enactments of Alberta.

Revision
powers

3 In preparing a revision, the Chief Legislative Counsel may do any or all of the following:

- (a) consolidate in the revision all amendments made to an enactment since the date of its enactment or last revision, as the case may be;
- (b) combine or divide enactments and, where an enactment is divided, incorporate common provisions necessary to both enactments;
- (c) change the numbering and the arrangement of enactments;
- (d) add, change or omit any heading in or title of an enactment;
- (e) revise and alter language to achieve gender-neutral terminology;
- (f) revise and alter language so as to give better expression to the meaning of the law but not so as to change the sense of any enactment;
- (g) make any alterations in language and punctuation that are desirable to obtain a uniform mode of expression;
- (h) make minor amendments to clarify what is considered to be the intention of the Legislature;
- (i) make changes to reconcile apparently inconsistent provisions;
- (j) correct clerical, grammatical or typographical errors;
- (k) repeal enactments that are obsolete, are spent or have no legal effect;
- (l) omit without repealing any enactment that provides for the retroactive effect of an enactment or that is of a limited duration or transitional in nature;
- (m) include in the revision those enactments that have not yet come into force;
- (n) make minor amendments to other enactments not being revised that are required to reconcile them with a revised enactment as if the minor amendments were amendments consequential to the revised enactment;

- (o) include such information in schedules as the Chief Legislative Counsel considers appropriate to show what provisions have been added, omitted, moved, combined or repealed by the revision.

Deposit of
revision

4(1) On the completion of a revision, the Lieutenant Governor in Council may direct that a copy of the revision, together with any schedules relating to the revision, be deposited with the Clerk of the Legislative Assembly as the official copy of the revision.

(2) The official copy of a revision must be signed by the Lieutenant Governor and countersigned by the Minister.

Coming into
force of
revision

5(1) The Lieutenant Governor in Council may specify by proclamation when a revision deposited under section 4(1) comes into force.

(2) On and after the date so proclaimed, the revision comes into force and has effect for all purposes

(a) as if the revision were expressly embodied in and enacted by this Act, and

(b) as if this Act expressly provided that the revision was to have effect on and after the date so proclaimed.

(3) If an enactment is to come into force on proclamation and is included in a revision that is to come into force on proclamation, then,

(a) if that enactment was not proclaimed in force before the date on which the revision comes into force, the proclamation under subsection (1) does not, unless it otherwise states, operate to bring the corresponding revised enactment into force, but

(b) if that enactment was proclaimed in force before the date on which the revision comes into force, the proclamation under subsection (1) operates to bring the corresponding revised enactment into force.

(4) From the time a revision comes into force, the official copy deposited with the Clerk of the Legislative Assembly is considered to be the original of the enactments of Alberta so revised.

- Publication of revision **6(1)** The Queen's Printer must ensure that every revision, including any schedules, deposited under section 4(1) is published in a printed form.
- (2)** In addition to any other method of publication that complies with subsection (1), a revision may be published in the annual volume of the Statutes of Alberta for the year in which it is deposited.
- Repeal of previous versions of enactments **7** On the coming into force of a revision, if the revision
- (a) has schedules that list the existing enactments that are consolidated in the revision, those enactments are repealed to the extent shown in the schedules, or
 - (b) does not have schedules that list the existing enactments that are consolidated in the revision, those enactments are repealed to the extent specified in the revision.
- Legal effect of revision **8(1)** A revision does not operate as new law but has effect and must be interpreted as a consolidation of the law contained in the enactments replaced by the revision.
- (2)** If a revised provision has the same effect as a provision replaced by the revision, the revised provision
- (a) operates retrospectively as well as prospectively, and
 - (b) is deemed to have been enacted and to have come into force on the day on which the provision replaced by the revision came into force.
- (3)** If a revised provision does not have the same effect as a provision replaced by the revision,
- (a) the provision replaced by the revision governs all transactions, matters and things before the revision comes into force, and
 - (b) the revised provision governs all transactions, matters and things after the revision comes into force.
- Interpretation of references **9** After a revision comes into force, a reference
- (a) in an enactment that is omitted from but not repealed by the revision, or

(b) in any instrument or document

to an enactment that is repealed by the revision is, with respect to any subsequent transaction, matter or thing, deemed to be a reference to the corresponding revised enactment in the revision.

Regulations **10(1)** The Lieutenant Governor in Council may make regulations

(a) to correct, in a manner consistent with the powers of revision in this Act, any error in a revision;

(b) respecting the citation of enactments revised under this Act.

(2) A regulation under subsection (1)(a) ceases to have effect after the last day of the next session of the Legislative Assembly after the regulation is made.