

BILL 43

2006

MISCELLANEOUS STATUTES AMENDMENT ACT, 2006

(Assented to _____, 2006)

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

Administrative Penalties and Related Matters Statutes Amendment Act, 2002

Amends SA 2002 c4

1 The *Administrative Penalties and Related Matters Statutes Amendment Act, 2002* is amended in section 3(6) by renumbering clause (a) as clause (a.1) and by adding the following before clause (a.1):

(a) by repealing subsections (1.1) and (1.2);

Canadian Airlines Corporation Act

Repeals RSA 2000 cC-1

2 The *Canadian Airlines Corporation Act*, RSA 2000 cC-1, is repealed.

Partnership Act

Amends RSA 2000 cP-3

3(1) The *Partnership Act* is amended by this section.

(2) Section 52(3)(c) is amended by striking out “place of residence” and substituting “residential address”.

(3) Section 108(a) is amended by striking out “residences” and substituting “residential addresses”.

(4) Section 109(4) is amended by striking out “place of residence” wherever it occurs and substituting “residential address”.

(5) Section 110 is amended

(a) in subsection (2)(a) by striking out “residence” and substituting “residential address”;

(b) by adding the following after subsection (3):

(4) Where the residential address of a declarant changes, the declarant shall, within 30 days after the effective date of the change, file a declaration with the Registrar setting out the new residential address.

(5) Where the residential address of a declarant changed before the coming into force of subsection (4), the declarant shall, within 30 days of the coming into force of this subsection, file a declaration with the Registrar setting out the new residential address.

Explanatory Notes

Administrative Penalties and Related Matters Statutes Amendment Act, 2002

1 Amends chapter 4 of the Statutes of Alberta, 2002. Section 3(6), which amends the Mines and Minerals Act, presently reads:

(6) Section 110 is amended

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

(2.1) The Minister may cancel or suspend a licence or permit if the licensee or permittee is indebted to the Crown.

(2.2) Where the Minister suspends a licence or permit under subsection (2.1), the Minister may exercise the same powers that the Minister has under subsections (3) and (4).

(b) by repealing subsections (3) and (4) and substituting the following:

(3) If a permittee or any person authorized by a permittee to operate exploration equipment contravenes this Part or a regulation under this Part, or fails to comply with a condition of an exploration approval, the Minister may, with or without conditions and either indefinitely or for a specified period, suspend the permittee's permit

(a) generally with respect to all programs of exploration being conducted under the authority of the permit or with respect to one or more specified programs, or

(b) with respect to all or specified exploration equipment being operated under the authority of the permit.

(4) If a licensee or any person performing an operation or function under the authority of the licensee's licence contravenes this Part or a regulation under this Part or fails to comply with a condition of an exploration approval, the Minister may, with or without conditions and either indefinitely or for a specified period, suspend the licensee's licence generally with respect to all programs of exploration being conducted under the authority of the licence or with respect to one or more specified programs.

(5) The Minister may, with or without conditions and either indefinitely or for a specified period, suspend a licence if no exploration has been conducted under the licence for a period of 2 years or more.

(6) The Minister may reinstate a licence or permit that was cancelled or suspended under this section, subject to any conditions the Minister considers appropriate.

Canadian Airlines Corporation Act

2 Repeals chapter C-1 of the Revised Statutes of Alberta 2000.

Partnership Act

3(1) Amends chapter P-3 of the Revised Statutes of Alberta 2000.

(2) Section 52(3)(c) presently reads:

(3) A certificate shall be signed by all the persons desiring to form a limited partnership and shall state

(c) the name and place of residence of each partner, general and limited partners being respectively designated,

(3) Section 108 presently reads in part:

108 The declaration shall

(a) contain the names, occupations and residences of each partner,

(4) Section 109(4) presently reads:

(4) Where the place of residence of a member of the firm changes, the member shall, within 15 days after the effective date of the change, file a declaration with the Registrar setting out the new place of residence.

(5) Section 110 presently reads:

110(1) Each person who

(a) is engaged in business for trading, manufacturing, contracting or mining purposes,

- (b) is not associated in partnership with any other person or persons, and*
- (c) uses as the person's business name*
 - (i) some name or designation other than the person's own, or*
 - (ii) the person's own name with the addition of "and company" or some other word or phrase indicating a plurality of members in the firm,*

shall sign and file with the Registrar a declaration in writing of the fact.

(2) A declaration under this section shall

- (a) contain the name, occupation and residence of the declarant,*
- (b) contain the business name under which the declarant carries on or intends to carry on business,*
- (c) state that no other person is associated with the declarant in partnership, and*
- (d) be filed within 6 months after the time when the business name is first used.*

(3) A declaration submitted for filing more than 6 months after the time when the business name is first used shall not be refused for filing by reason only of the lapse of time.