

BILL

No. 85 of 1928.

An Act for the Better Securing of the Payment of Wages
to Workers in Coal Mines.

(Assented to _____, 1928.)

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

1. This Act may be cited as "*The Coal Miners' Wages
Security Act.*"

2. In this Act, unless the context otherwise requires—

- (a) "Coal miner" includes every person who is employed in, on or about a mine on salary or wages;
- (b) "Mine" shall mean any place or any part of any place in or on which there is any natural bed of coal or stratum of coal or aggregation of strata, whether the same be upon the surface of the earth or subjacent thereto, and whether it be within the property of one owner or several;
- (c) "Mine owner" means any person or body corporate who is the immediate proprietor, lessee, licensee, or occupier of any mine, or of any part thereof, or who contracts for the working of any mine, but not any person or body corporate who merely receives a royalty, rent or fine from a mine or who is merely the proprietor of a mine subject to any lease, grant or license for the working thereof, or is merely the owner of the soil apart from the coal thereon or thereunder;
- (d) "Minister" means the Minister who is charged with the administration of this Act.

3. Every mine owner shall—

- (a) on the fifteenth day of the month of April in each year, deliver to the Minister a statement of the total amount of the wages paid by such mine owner during the twelve months immediately preceding the month in which his statement is delivered; and
- (b) if and when required so to do by the Minister, deliver to him a statement showing the assets of the mine owner and his liabilities, and shall set out with detail all mortgages or charges whatsoever against any of his assets and the nature thereof and the

amounts secured by any such mortgages or charges, all as at the last day of the month preceding the month in which such statement is delivered.

4.—(1) On or before the first day of May in each year every mine owner shall furnish a bond or other security to the satisfaction of the Minister alike as to its nature and form in an amount equal to the greatest amount paid by him for wages in one month during the previous period of twelve months to secure the due payment of all wages payable by him during the then current period of twelve months.

(2) If the mine owner who is required to furnish a bond or other security has not been operating for a full period of twelve months immediately previous thereto, then the amount of the bond or other security shall be such sum as the Minister may in his discretion determine.

(3) In lieu of a bond the Minister may accept a deposit in cash of a sum equal to that which he required to be named in a bond and such sum shall be invested in bonds or other securities of the Province in the name of the Minister, and shall be held by him as security for the due payment of wages by the mine owner making such deposit, and on any default by him in payment of wages the Minister may proceed to sell such bonds and securities.

5. Every mine owner who makes default in delivering any statement required by section 3 of this Act shall be guilty of an offence, and shall be liable on summary conviction to a fine of not less than one hundred dollars nor more than one thousand dollars and costs, and in default of payment to imprisonment for a term of not more than three months.

6. Every mine owner who makes default in furnishing the Minister with a bond or other security as provided by section 4 hereof, and continues after so making default to operate his mine with hired employees, shall be guilty of an offence and shall be liable on summary conviction to a fine of not less than one thousand dollars nor more than two thousand, five hundred dollars and costs, and in default of payment to imprisonment for a term of not more than three months.

7. Any sum which may be in the hands of the Minister in respect of any bond or other security held by him under this Act, shall be available for the payment of all the wages of the coal miners for securing which such bond was given and shall be distributed rateably.

8. Every demand or notice by the Minister pursuant to this Act shall be deemed to have been duly made, given or

delivered upon the same being left at the office at the mine of the mine owner to whom the same is addressed.

9.—(1) Any mine owner may from time to time upon ten days' notice to the Minister, apply to the Board of Public Utility Commissioners for a certificate under this section.

(2) The said Board may thereupon in its uncontrolled discretion, being satisfied that the mine owner has such resources as to make assured the due payment of the wages of all coal miners employed by him, issue a certificate under the seal of the Board exempting the mine owner for a period to be named in the certificate, and in any event not to exceed twelve months, from the operation of sections 4 and 6 of this Act.

(3) The Minister may in his discretion by notice published in *The Alberta Gazette* cancel any such certificate, and within seven days of the date of publication of the issue of *The Alberta Gazette* containing any such notice the mine owner shall comply with all the provisions of section 4, and upon the expiration of the said seven days shall become liable to all the provisions of section 6 of this Act.

(4) Any mine owner who holds a valid and subsisting certificate under this section shall not be required to furnish the statement mentioned in paragraph (b) of section 3, and shall be exempt from the operation of sections 4 and 6 of this Act.

No. 85.

SECOND SESSION
SIXTH LEGISLATURE
18 GEORGE V
1928

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Payment of Wages to Workers
in Coal Mines.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. BROWNLEE.

EDMONTON:
W. D. MCLEAN, ACTING KING'S PRINTER
A.D. 1928