

Bill No. 48 of 1936.

A BILL TO ESTABLISH A BUREAU OF RELIEF AND
PUBLIC WELFARE AND TO PROVIDE FOR
THE ADMINISTRATION OF UNEMPLOY-
MENT RELIEF.

NOTE.

This Bill provides for the establishment of a Bureau of Relief and Public Welfare consisting of a Commissioner and necessary assistants, and confers upon it the duty of administering Government relief for indigents and generally, of supervising relief measures and obtaining statistical information as to indigency and relief.

Part II of the Bill contains provisions relating to unemployment relief schemes of the Dominion or of the Province or of both.

It declares that the duty of administering such relief schemes is upon the municipality in respect of its residents as defined in section 11.

It provides that a recipient of unemployment relief shall not be deemed to be an indigent, and limits the liability of the municipality to such recipient to medical care and treatment when sick if he is in fact an indigent.

Section 16 provides the means of compelling unemployment relief recipients to reside in the municipality which is responsible for them.

The neglect to provide unemployment relief by a municipality is declared to be an offence.

The municipality is empowered to require recipients to perform work which is unemployment relief work and which is not disallowed by the Minister as such, or to require the recipient to undertake to repay sums advanced by it for unemployment relief.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 48 of 1936.

An Act to Establish a Bureau of Relief and Public Welfare
and to Provide for the Administration of
Unemployment Relief.

(Assented to _____, 1936.)

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 Bureau of Relief and Public Welfare Act.*"

PART I.

2. In this Act, unless the context requires a contrary meaning,—

- (a) "Bureau" means the Bureau of Relief and Public Welfare;
- (b) "Commissioner" means the Commissioner of Relief and Public Welfare;
- (c) "Indigent" means a person who is actually destitute of means from his own resources of obtaining the food, clothing and shelter necessary for his immediate wants;
- (d) "Minister" means that member of the Executive Council for the time being charged with the administration of this Act;
- (e) "Municipality" means any city, town, village, municipal district and improvement district and includes, in respect of an improvement district, the Minister of Municipal Affairs and, in respect of any other municipality, the council of that municipality;
- (f) "Transient indigent" means any indigent within the Province in respect of whose maintenance or partial maintenance there is no liability upon any municipality in the Province.

3. There shall be a Bureau of Relief and Public Welfare consisting of a Commissioner of Relief and Public Welfare and such other officers, clerks and employees as may be necessary for the proper conduct of the Bureau.

4. The Commissioner and the said officers, clerks and employees shall be appointed by the Lieutenant Governor in Council and shall be under the control of the Minister.

5. The Commissioner shall, out of any moneys appropriated by the Legislature for the purpose, make provisions

for the maintenance or partial maintenance of all transient indigents and for their care and treatment when sick.

6. In any case of indigency in respect of which there exists any doubt as to whether the indigent is a transient indigent or is an indigent in respect of whom some municipality is liable, the Commissioner may provide such indigent with relief and if, after due inquiry, it is established to the satisfaction of the Commissioner that a municipality is under a legal liability to furnish such relief, the Minister shall be entitled to recover the same from such municipality.

7. The Commissioner shall make provision for the interment of the body of any deceased person in any case where the expense thereof would be a public charge and where no municipality is under a liability to provide for such interment.

8. It shall be the duty of the Commissioner,—

- (a) to perform or superintend the performance of such work relating to the collection, assortment, systematization and publication of information and statistics affecting indigency and indigent relief as may be directed by the Minister;
- (b) to supervise the administration of such acts and such relief measures as may be assigned to the Bureau by the Lieutenant Governor in Council; and
- (c) to discharge and perform such other duties as may be from time to time assigned to him by the Minister.

9. Any sum of money recoverable by the Minister pursuant to this Act may be recovered by an action brought by the Minister in the name of the Crown and shall be recoverable as a debt due to the Crown.

10. The Lieutenant Governor in Council may prescribe rules and regulations governing the granting of relief and the disbursement of any moneys pursuant to this Act.

PART II.

11. In this Part, unless the context requires a contrary meaning,—

- (a) "Resident" means any person who has had his home or who has resided within the boundaries of a municipality for at least twelve out of the twenty-four months immediately prior to the date of receiving unemployment relief and who has not received assistance from municipal or provincial funds during the twelve months immediately prior to relief being granted and issued;
- (b) "Unemployment relief" means goods, fuel, clothing, shelter, or any of them, provided for persons who

are actually destitute of means to provide same from their own resources and who are physically and mentally fit to accept employment and for whom no employment is available, and who have been approved by the Bureau of Relief and Public Welfare as persons eligible for unemployment relief, but does not include medical attendance or treatment or hospitalization.

12. In case provision is made at any time by the Government of the Province or by the Government of Canada or by both for the relief of unemployment whereby assistance is afforded to a municipality in defraying the cost of providing such relief for any period, then in each such case and during any such period,—

- (a) any person who is afforded unemployment relief shall be deemed not to be an indigent person for the purpose of any Act governing any municipality;
- (b) the liability of a municipality to any person who is by this Act qualified to receive unemployment relief and who but for this Part would have been an indigent person shall be as provided in this Part;
- (c) the fact that a person is in receipt of unemployment relief shall not affect the duty of a municipality under the Act governing that municipality to make provision for the care and treatment of such person if he is in fact indigent and is sick;
- (d) every municipality shall make provision for unemployment relief for its residents who are eligible therefor;
- (e) every municipality shall, in cases of urgent necessity, make similar provision for unemployment relief for any person who is temporarily within the municipality and who is not resident therein, but such assistance shall only be for such a period of time as may be necessary until the residence of such person has been determined and the responsibility for unemployment relief established.

13. The Commission may, in cases of urgent necessity, provide unemployment relief when residence has not been determined and then only for such period of time as may be necessary until residence has been determined and responsibility for unemployment relief established.

14. Where a municipality or the Bureau under the provisions of this Part provides assistance or causes assistance to be provided for any person for which some other municipality is liable to provide, then the municipality of which such person is a resident at the time the assistance is given shall, upon demand, repay the actual amount of the assistance provided for said person.

15. If any resident of a municipality, while receiving unemployment relief or who within twelve months after receiving assistance under the provisions of this Act, moves

into some other municipality, such other municipality shall not be liable for such assistance but the first mentioned municipality shall continue to be liable as if such person continued to reside therein and until such person shall have been wholly self-supporting for twelve consecutive months while residing outside of the boundaries of such municipality:

Provided, however, that any person in receipt of assistance under *The Mothers' Allowance Act* or *The Workmen's Compensation Act (Accident Fund)* or *The Old Age Pensions Act* or any person in receipt of a pension or allowance for military or naval services shall be deemed self-supporting to the extent of such assistance.

16.—(1) In cases where it is necessary to afford unemployment relief to a resident of a municipality who is actually residing outside of the boundaries of the municipality, the municipality may at its discretion give notice in writing to the resident requiring him to return and reside within the boundaries of the municipality during such period as unemployment relief is provided but must furnish reasonable facilities for the transportation of such person and his dependants and such effects as the said person may possess, and also must provide a home which is reasonably fit for human habitation for such person and his dependants.

(2) In case a municipality has given to a resident the notice required by this section and the resident does not comply therewith, the municipality may at any time after the expiration of fifteen days from the giving of the notice apply to the judge of the District Court exercising jurisdiction in the Judicial District in which the resident was residing at the time the notice was given for an order requiring the applicant to comply with the notice and thereupon the judge shall fix a day for the hearing of the application and give such directions as he may deem proper as to the notice to be given to the applicant, and upon the day so fixed or any adjournment thereof shall proceed to hear and determine the matter; and upon being satisfied that the requirements of this section have been complied with by the municipality and that in all the circumstances it is proper so to do, he may order that the resident do comply with the notice within such period as he may fix for the purpose and that in case of non-compliance with the order the municipality may withhold the relief until such time as he complies with the notice.

(3) In case a resident makes default in complying with any such order he shall be guilty of an offence and shall be liable on summary conviction therefor to a fine of not more than one hundred dollars and costs and in default of payment to imprisonment for a term of not more than three months.

17. A municipality which without lawful excuse fails to provide unemployment relief for any resident shall be guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars and costs.

18. A municipality shall bear its own expense in connection with the administration of unemployment relief given pursuant to this Act.

19. A municipality may in its discretion require any recipient of unemployment relief actually residing within its corporate boundaries,—

- (a) to perform any work or service which he is capable of performing upon any public work of the municipality which is unemployment relief work and which is not disallowed by the Minister as such; or
- (b) to give an undertaking to the satisfaction of the municipality for the repayment of sums advanced to the recipient for unemployment relief.

20. This Part shall be read and construed with *The Municipal District Act, The Town and Village Act, The Improvement Districts Act, 1927*, and any other Act or charter governing a municipality and insofar as there is any conflict between any provision of this Act and any provision of any other of the said Acts or charters, the provisions of this Act shall prevail.

21. This Act shall come into force on the day upon which it is assented to.

No. 48.

FIRST SESSION
EIGHTH LEGISLATURE
1 EDWARD VIII
1936

BILL

An Act to Establish a Bureau of
Relief and Public Welfare and to
Provide for the Administration
of Unemployment Relief.

Received and read the

First time

Second time

Third time

HON. DR. CROSS.

EDMONTON:
A. Shnitka, King's Printer
1936