

Bill No. 65 of 1936.

A BILL TO AMEND THE DEPARTMENT OF TRADE
AND INDUSTRY ACT.

NOTE.

Section 2 provides that a code governing a trade may be brought into force upon being approved by a majority of the persons engaged in the trade or by persons owning over fifty per centum of the capital invested in the trade instead of sixty-six per centum of such persons.

Section 3 provides that certain codes may provide for the examination and certification of persons engaged in such trade.

The amendment made by section 4 repeals the power of the Lieutenant Governor in Council to provide for licensing and registration as it is proposed to deal with registration and licensing in a separate Act.

Section 5 enacts, as a part of the Act, a provision of *The Industrial Standards Act*.

Section 6 makes the Act applicable to producers and manufacturers as well as to wholesalers, and empowers the Lieutenant Governor in Council by Proclamation to bring under the Act any trade which is not mentioned in subsection (1) of section 15 of the Act.

Section 7 repeals section 17 of the Act which made the Act inapplicable to the cases therein mentioned.

Section 8 adds a new provision to the Act to the effect that the Minister, with the approval of the Advisory Board, may cancel the license of any person upon it being established to the satisfaction of the Minister that that person is habitually offending against the provisions of the Act or any code made thereunder.

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. 65 of 1936.

An Act to amend The Department of Trade and Industry Act.

(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 Department of Trade and Industry Act Amendment Act, 1936.*"

2. *The Department of Trade and Industry Act*, being chapter 33 of the Statutes of Alberta, 1934, is hereby amended as to section 6 thereof by striking out the words "by sixty-six per centum of the persons engaged in the trade to which it relates or by the persons owning sixty-six per centum of the aggregate capital invested in the trade", where the same occur therein, and by substituting therefor the words "by a majority of the persons engaged in the trade to which it relates or by the persons owning over fifty per centum of the aggregate capital invested in the trade".

3. The said Act is further amended by inserting therein, immediately after section 6 thereof, the following new section:

"**6a.**—(1) A code applicable to a trade, being a trade to which *The Tradesmen's Qualification Act* is not applicable, may provide for the appointment of boards of examiners, the nature, scope and extent of any examinations to be held by any such board, the standards of efficiency to be obtained by any person upon examination before the issuance to him of any certificate of proficiency, the kinds and classes of certificates of proficiency issuable in respect of any such trade, and generally as to the procedure in relation to the holding of examinations and the issuance of certificates of proficiency, and the prohibition of the engagement of any person in any specified class or description of employment unless such person is the holder of a specified kind or class of certificate of proficiency qualifying him for engagement in such kind or class of employment.

"(2) This section shall not apply to any case in which provision is made for certification or authorization of any person to engage in or follow a trade by *The Boilers Act, 1929*, or by *The Coal-mines Regulation Act*, or by *The Theatres Act.*"

4. The said Act is further amended as to section 13 thereof by striking out the same and by substituting therefor the following:

“13. The Lieutenant Governor in Council may from time to time make such regulations and orders, not inconsistent with this Act, as are necessary to carry out the provisions of this Act according to their true intent, or to meet cases which may arise and for which no provision is made by this Act.”

5. The said Act is further amended by inserting therein, immediately after section 14 thereof, the following new section:

“14a.—(1) The Lieutenant Governor in Council may from time to time make regulations,—

“(a) prescribing standard specifications as to the nature, contents and quality of any commodity which is used in industry or which is merchandise or of any grade or class thereof;

“(b) prescribing that upon the sale within the Province of any commodity in respect of which a standard specification has been prescribed information shall be given to the purchaser in writing of the fact that a standard specification has been prescribed in respect thereof, and the form and manner in which the information shall be so given; and

“(c) prescribing penalties for the contravention of any regulation made under this section which penalties shall not be more than a fine of five hundred dollars and costs and in default of payment, imprisonment for a term of not more than ninety days.

“(2) Every regulation made under this section shall be published in *The Alberta Gazette* and shall take effect as and from the date of publication or any later date specified in the order for that purpose, and shall have the same force and effect as if the same had been enacted as a part of this Act.

“(3) Every regulation made under this section shall be laid before the Legislative Assembly within fifteen days after the opening of the Session thereof held next after the publication thereof in *The Alberta Gazette*.”

6. The said Act is further amended as to section 15 thereof,—

(a) by striking out the words “This Act shall apply to wholesale dealers”, where the same occur in subsection (1) thereof, and by substituting therefor the words “This Act shall apply to producers of, manufacturers of and wholesale dealers”;

(b) by striking out subsections (2) and (3) thereof and by substituting therefor the following:

“(2) Upon the Minister being satisfied, after such inquiry as he deems proper, that it is expedient and in the public interest that any trade other than a trade mentioned in subsection (1) of this section should be brought within the provisions of this Act, he may recommend the bringing of that trade under the provisions of this Act, and thereupon the Lieutenant Governor in Council may by Proclamation published in *The Alberta Gazette* declare that trade

to be within and subject to the provisions of this Act, and upon publication of any such order the trade named therein shall as and from the date of publication be a trade to which this Act applies.”

7. The said Act is further amended as to section 17 thereof by striking out the same.

8. The said Act is further amended by inserting therein, immediately after section 22 thereof, the following new section:

“22a. In case it is established to the satisfaction of the Minister that any person licensed under this Act is habitually contravening any of the provisions of this Act or of any code made pursuant thereto, the Minister may, with the approval of the Advisory Board, cancel such person’s license or suspend the same for such period as he may deem proper.”

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

FIRST SESSION
EIGHTH LEGISLATURE
1 EDWARD VIII
1936

BILL

An Act to amend The Department of
Trade and Industry Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MANNING.

EDMONTON:
A. Shnitka, King's Printer
1936