

Bill No. 35 of 1937.

A BILL TO AMEND AND CONSOLIDATE THE
LICENSING OF TRADES AND BUSINESSES
ACT.

NOTE.

This Bill amends and consolidates *The Licensing of Trades and Businesses Act*.

Section 2 of the Bill makes its provisions apply to all trades, businesses, industries and occupations carried on in the Province and to which the powers of the Legislative Assembly extend, except only businesses licensed pursuant to any other Provincial Act.

By section 3 the Lieutenant Governor in Council is empowered to require every person engaged in any designated trade, business, industry or occupation, to be registered or licensed, and to prohibit the carrying on of such business by any person not so registered or licensed as the case may be; to fix the fees payable for any registrations or license; to fix the term of any license; and to make rules and regulations as to practices, systems and methods in connection with any designated business.

Section 4 makes the carrying on of any designated business by any person without the requisite license an offence, punishable by fine and in default of payment by imprisonment.

Section 5 makes the contravention of any provision of the Act or regulations an offence, punishable by fine and in default of payment by imprisonment.

Section 6 empowers the Minister to suspend or cancel any license upon being satisfied that the holder of the license has on more than one occasion contravened any provision of this Act or of any other Act of the Province.

Section 7 empowers the Minister to refer for investigation to The Trade and Commerce Board constituted under *The Department of Trade and Industry Act*, any question as to the propriety of refusing in the public interest a license in any locality, and if that Board recommends it, the Minister may refuse to grant or renew the license if he thinks it proper so to do.

Section 8 prohibits the issuance by municipalities of business licenses for designated businesses to applicants who are not licensed hereunder.

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. 35 of 1937.

An Act to amend and consolidate The Licensing of Trades and Businesses Act.

(Assented to _____, 1937.)

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 Licensing of Trades and Businesses Act, 1937.*"

2. This Act shall apply to all trades, businesses, industries and occupations (hereinafter called businesses) which are carried on in the Province and to which the powers of the Legislative Assembly extend, except only businesses which are licensed pursuant to any other Act of the Province.

3. The Lieutenant Governor in Council may from time to time,—

- (a) designate any business or any description or class of any business as a business or a description or class thereof to which this Act applies, and to except from any business or any description or class of any business so designated any specified class or subclass of persons engaged therein;
- (b) provide for the registration of all persons engaged in carrying on any business or any description or class thereof so designated, and prohibit the carrying on of that business by any person who is required to be registered and who is not so registered;
- (c) provide for the licensing of all persons engaged in carrying on any business or any description or class thereof so designated and prohibit the carrying on of that business by any person who is required to be licensed and who is not so licensed;
- (d) provide that any person required to be registered or licensed in respect of any business or any description or class thereof, shall be registered or licensed as the case may be, in respect of each additional business or description or class thereof carried on by him and in respect of each separate place at which he carried on such business or such description or class thereof,

and prohibit the carrying on by such person of the additional business without being so registered or licensed, and prohibit the carrying on of a business or any description or class thereof at any place in respect whereof such person is not so registered or licensed, as the case may be;

- (e) prescribe as to the duration of any license, the form of and mode of issuing any license and the renewal thereof;
- (f) prescribe the fees payable upon any registration in respect of any business or any description or class thereof and the fees payable upon the issue of any license and any renewal thereof, and in so doing may prescribe different fees in respect of different businesses and different descriptions or classes thereof;
- (g) make rules and regulations prohibiting or restricting any practice, system or method of carrying on or conducting any business which has been designated as a business to which this Act applies;
- (h) require the registration of the names and addresses of all parties having a financial interest in any business which has been designated as a business to which this Act applies;
- (i) make such rules and regulations as to the forms to be used and procedure to be followed in relation to any of the matters aforesaid.

4. Every person who is required to be registered or to be licensed in respect of any business or any description or class thereof pursuant to any order in council made pursuant to this Act and who carries on such business or such description or class thereof unless he is so registered or licensed as the case may be, shall be guilty of an offence and shall be liable on summary conviction, in case the offender is a body corporate to a fine of not more than two hundred dollars and costs, and in any other case to a fine of not more than fifty dollars and costs, and in default of payment to imprisonment for a term of not more than ninety days.

5. Every person who contravenes any of the provisions of this Act or any regulations passed pursuant to this Act, shall be guilty of an offence and shall be liable on summary conviction, in case the offender is a body corporate to a fine of not more than two hundred dollars and costs, and in any other case to a fine of not more than fifty dollars and costs, and in default of payment to imprisonment for a term of not more than ninety days.

6. The Minister upon being satisfied that the holder of any license has on more than one occasion contravened any of the provisions of this Act or of any regulations passed pursuant to this Act, or of any other Act of the Province, may

in his discretion suspend or cancel for such period as he may decide proper any license issued pursuant to this Act or any other Act.

7. In case it is made to appear to the Minister that it is questionable whether it is in the public interest that a license in respect of any business in any locality should be issued or renewed, he may refer the question to The Trade and Commerce Advisory Board constituted under *The Department of Trade and Industry Act* for investigation, consideration and a report, and in case that Board recommends it, the Minister may if he is satisfied that it is in the public interest so to do refuse to grant the license or to renew the same as the case may be.

8. No license shall be issued by any city, town, village or municipality for the carrying on of any business which has been designated as a business to which this Act applies, unless the applicant is the holder of a subsisting license issued pursuant to this Act in respect of that business.

9. *The Licensing of Trades and Businesses Act*, being chapter 67 of the Statutes of Alberta, 1936, is hereby repealed.

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

No. 35.

THIRD SESSION
EIGHTH LEGISLATURE
1 GEORGE VI
1937

BILL

An Act to amend and consolidate The
Licensing of Trades and Businesses
Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. DR. CROSS.

EDMONTON:
A. Shnitka, King's Printer
1937