

Bill No. 52 of 1938.

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

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NOTE.

The amendment made by section 2 of the Bill adds to the Act a new provision which empowers the Minister or any official of his Department designated by him, to require the furnishing of statistical information as to the trades in the Province by persons engaged therein; and makes it an offence for any person engaged in any trade who fails to comply with a written demand by the Minister for such information which such person has or is able to procure after thirty days from the receipt by such person of the demand; such offence being punishable by a fine of ten dollars per day for each day during which the default continues; and in any prosecution the onus of showing that the defendant did not have or could not procure any information is upon the defendant.

Section 3 empowers the Lieutenant Governor in Council, by regulation, to prescribe standard specifications as to commodities used in industry or which are merchandise and the manner in which the occasions upon such specifications shall be made known by dealers therein, either generally or to specified persons or classes of persons, and to prescribe penalties for the contravention of any such regulation of not more than two hundred dollars and costs and in default of payment imprisonment for a term of not more than sixty days.

Section 4 repeals section 7 of the Act the substance of which is re-enacted by section 7 of the Bill.

Section 5 repeals sections 11 and 12 which relate to the Advisory Board and Advisory Committees.

Section 6 makes new provision for the appointment by the Minister, with the approval of the Lieutenant Governor in Council, of a General Advisory Board, Special Advisory Boards or Advisory Committees and Investigators.

Section 7 gives to Advisory Boards, Advisory Committees, the Price Spreads Board and every member thereof and all

Investigators, in connection with their functions, the power to take evidence and to compel the attendance of witnesses and production of documents.

Sections 8 and 9 make minor verbal amendments to sections 15 and 17 of the Act.

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. 52 of 1938.

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

(Assented to \_\_\_\_\_, 1938.)

**H**IS 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, 1938.*"

**2.** *The Department of Trade and Industry Act*, being chapter 33 of the Statutes of Alberta, 1934, is hereby amended by inserting therein immediately after section 3 the following new section:

"**3a.**—(1) The Minister and any officer of the Department of Trade and Industry designated by him, is empowered for the purpose of obtaining statistical information as to the trades of the Province, to require any or all persons engaged in any such trade to furnish such information with regard to any such trade and any agricultural, industrial or commercial activities thereof.

"(2) Every person engaged in any trade who makes default in complying with any demand in writing made by the Minister for any information which such person has or is able to procure, for a period of thirty days after the receipt of such demand or such longer period as may be appointed by the Minister, shall be guilty of an offence and liable on summary conviction therefor to a penalty of ten dollars per day for each day during which such default continues together with costs.

"(3) In any prosecution for an offence under this section the onus of proof that the person accused had not or was unable to procure any information demanded by the Minister, shall be upon the person accused."

**3.** The said Act is further amended by inserting therein immediately after section 4 the following new section:

"**4a.**—(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, and the manner in which

and the occasions upon which such specifications shall be made known by any person dealing in such commodity, either to the public generally or to any specified class of persons or any specified persons;

“(b) prescribing penalties for the contravention of any regulation made under this section which penalties shall not be more than a fine of two hundred dollars and costs and in default of payment to imprisonment for a term of not more than sixty 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.”

4. The said Act is further amended by repealing section 7 thereof.

5. The said Act is further amended by repealing sections 11 and 12 thereof.

6. The said Act is further amended by inserting therein immediately after section 10 the following new section:

“11. The Minister with the approval of the Lieutenant Governor in Council is hereby authorized from time to time,—

“(a) to appoint a general advisory board to be called ‘The Trade and Commerce Advisory Board’ the members of which shall hold office during pleasure, for the purpose of advising the Minister, when required by him to do so, as to any matter or thing which relates to the businesses, trades, industries and occupations carried on in the Province or any of them;

“(b) to appoint special Advisory Boards or Advisory Committees for the purpose of advising the Minister, when requested so to do, as to any specified businesses, trades, industries or occupations carried on in the Province;

“(c) to prescribe as to the number of members who shall constitute any Board or Committee so appointed; to designate any person appointed to any such Board or Committee as the Chairman thereof; to appoint the Secretary of any such Board or Committee;

“(d) subject to the provisions of *The Public Service Act* to appoint such other officers, clerks and servants as may be necessary to enable any such Board or Committee to discharge its duties;

“(e) subject to the provisions of *The Public Service Act* to appoint investigators for the purpose of obtaining information for the use of the Minister or of

any Advisory Board or Committee as to any matter or thing relating to any business, trade, industry or occupation carried on in the Province, whenever directed by the Minister so to do;

“(f) to fix the remuneration of all persons appointed as members of any Advisory Board and Advisory Committee and of secretaries of such Board or Committee, and to prescribe the duties of any persons so appointed and of any persons appointed as officers, clerks and servants pursuant to this section, and to make regulations as to the manner in which they shall discharge their duties.”

7. The said Act is further amended by inserting therein immediately after section 12a the following new section:

“12b. The Minister and every Advisory Board and every Advisory Committee appointed pursuant to section 11, and the Price Spread Board and every member of such Board or Committee and every investigator appointed pursuant to section 11, shall for the purpose of making any investigation or enquiry the making of which is authorized pursuant to this Act, each have the same powers of summoning witnesses before him or them and of requiring witnesses to give evidence on oath and to produce documents and things as may be conferred upon Commissioners appointed pursuant to *The Public Inquiries Act*.”

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

- (a) by striking out the words “This Act shall apply” where the same occur in subsection (1) thereof and by substituting therefor the words “This Part of this Act shall apply”; and
- (b) by striking out the words “within the provisions of this Act” where the same occur in subsection (2) thereof and by substituting therefor the words “within the provisions of this Part of this Act”.

9. The said Act is further amended as to section 17, by striking out the words “Nothing in this Act shall apply” where the same occur in subsection (1) thereof and by substituting therefor the words “Nothing in this Part of this Act shall apply”.

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

SIXTH SESSION  
EIGHTH LEGISLATURE

1 GEORGE VI

1938

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**BILL**

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

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. MANNING.

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EDMONTON:  
A. Shnitka, King's Printer  
1938