

Bill No. 87 of 1939.

A BILL TO ESTABLISH AN AGENCY FOR THE  
CENTRALIZATION OF GOVERNMENT  
PURCHASES.

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NOTE.

This Bill establishes as a branch of the Public Service an agency to be known as The Alberta Government Purchasing Agency under the immediate management of a director of purchases appointed by the Lieutenant Governor in Council.

The function of the agency is to purchase all supplies required by any Department of the Government Service or by any board whose expenses are defrayed out of the General Revenue Fund and includes the Workmen's Compensation Board and the Alberta Liquor Control Board.

An advisory purchasing committee is established for each Department or board consisting of the director of purchases, the chairman of the marketing board established pursuant to *The Alberta Marketing Act* and a person appointed by the Department or board.

The purchase of any supplies must have the approval of all the members of such committee; and if the committee is not unanimous the director of purchases is required to report in writing to the Minister as to such purchase and the Minister is to refer any question arising as to such purchase to the Lieutenant Governor in Council for determination.

No supplies may be purchased by any Department or board otherwise than through the agency.

The Lieutenant Governor in Council is empowered to permit the purchase by all Departments and boards or any Department or board of all or any designated supplies otherwise than through the agency and to make regulations relating to the purchase of supplies by Departments and boards and for the purpose of carrying out the intent and purpose 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. 87 of 1939.

An Act to Establish an Agency for the Centralization of  
Government Purchases.

(Assented to , 1939.)

**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 Alberta Government  
Purchasing Agency Act.*"

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

- (a) "Agency" means The Alberta Government Purchasing Agency established pursuant to this Act;
- (b) "Department" means every Department of the Government of the Province and every branch thereof, and includes every branch thereof and every board, the expenses of which are paid out of the General Revenue Fund, the Workmen's Compensation Board and the Alberta Liquor Control Board;
- (c) "Head of a Department" means in respect of a Department of the Government or any branch thereof the Minister presiding over such Department and in respect of any board, the chairman thereof;
- (d) "Minister" means the Minister presiding over the Department of the Public Service to which the agency is for the time being attached;
- (e) "Supplies" means all goods, wares and merchandise required by any Department for the transaction of its business and affairs, and without derogating from the generality of the foregoing includes all furnishings, whether fixtures or otherwise, all equipment, all stationery, all printing, and all advertising.

**3.** There shall be a branch of the Public Service of the Province which shall be known as The Alberta Government Purchasing Agency, which shall be attached to and form part of such Department of the Public Service as may be prescribed from time to time by the Lieutenant Governor in Council.

4. The agency shall be under the immediate management and control of a director of purchases, who shall be appointed by the Lieutenant Governor in Council.

5.—(1) The appointment of any such person shall be conditional upon his delivering to the Minister a bond issued by a company authorized to carry on in the Province the business of fidelity insurance or guarantee insurance for the faithful performance of his duties and for the delivery up on the termination of his engagement of all books and records relating to the business of the agency which bond shall be in such amount, in such form and of such nature as may be approved by the Lieutenant Governor in Council.

(2) The director of purchases shall receive such remuneration as may be fixed by the Lieutenant Governor in Council, and shall hold office during the pleasure of the Lieutenant Governor in Council.

6.—(1) There is hereby constituted for each Department an advisory committee consisting of the director, the chairman of the Marketing Board established pursuant to *The Alberta Marketing Act*, and one other person appointed by the head of that Department, which shall be known as "The Advisory Purchasing Committee" for that Department, and the duties of each such committee shall be to determine as to the necessity for the acquisition of any supplies of any kind by the Department for which it is constituted, and as to the amount of any supplies which ought to be acquired from time to time, and as to the quality, nature, kind and description of any such supplies, and as to the persons from whom such supplies shall be acquired.

(2) No supplies shall be purchased except with the approval of all the members of the Advisory Committee of the Department requiring such supplies; and in case any member of such committee does not approve of any such purchase, the director of purchases shall forthwith notify the Minister in writing thereof and thereupon the Minister shall proceed to refer to the Lieutenant Governor in Council for determination any question arising in relation to the purchase of such supplies.

7. It shall be the duty of the agency to acquire by purchase or otherwise all supplies which are required from time to time by any Department.

8. Except only as is hereinafter provided, each Department shall purchase through the agency all supplies which are required by that Department.

9. Every Department shall acquire all supplies required by it through the agency and not otherwise.

**10.** The Lieutenant Governor in Council may from time to time by order declare that any supplies designated therein may be purchased by all Departments or by any specified Department otherwise than through the agency and may make regulations as to the manner in which such purchases may be made.

**11.** With the approval of the Lieutenant Governor in Council the director of purchases is hereby empowered from time to time to make regulations,—

- (a) as to the manner in which any Department shall require the agency to purchase any supplies and as to the information to be supplied by any Department making any such requisition;
- (b) as to the manner in which and conditions under which any supplies shall be acquired by the agency whether by public tender or otherwise;
- (c) as to the manner in which the business of the agency shall be conducted and the forms to be used in connection therewith;
- (d) making such provision as to any other matter or thing not inconsistent with this Act which may be deemed requisite for the carrying out of the intent and purpose of this Act.

**12.** The director of purchases is hereby empowered by order, which may be general in all its terms or limited to any supplies or to any Department designated therein, to permit the acquisition by any Department to acquire any supplies otherwise than through the agency upon his being satisfied that by so doing such supplies can be acquired at a lower cost by reason of transportation costs or for any other reason.

**13.** The agency shall, in acquiring any supplies, acquire to the extent that it is practicable, supplies produced or manufactured in the Province of Alberta or which are sold by persons carrying on business in the Province.

**14.** The Provincial Auditor shall not approve any voucher for the payment for any goods or materials purchased by any Department unless and until he is satisfied either that such supplies were purchased through the agency or that such supplies were supplies which the Department is authorized to acquire otherwise than through the agency.

**15.** Every person who is a member of any Department of the Public Service who wilfully acquires any supplies in contravention of any of the provisions of this Act or any regulation or order made thereunder shall be deemed to have committed an act of malfeasance in office and he shall thereupon be liable to suspension or dismissal from office.

**16.** In any case where the director of purchases is satisfied that any contravention by any person of any of the provisions of this Act or of any regulation or order made thereunder is due to inadvertence, he may so certify to the Provincial Auditor in writing and authorize the Provincial Auditor to approve the voucher for the payment for the supplies in respect of which the contravention took place, and thereupon the Provincial Auditor shall approve such voucher.

**17.** This Act shall come into force upon a date to be fixed by proclamation of the Lieutenant Governor in Council.

No. 87.

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EIGHTH SESSION  
EIGHTH LEGISLATURE  
3 GEORGE VI  
1939

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**BILL**

An Act to Establish an Agency for  
the Centralization of Govern-  
ment Purchases.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. LOW.

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EDMONTON:  
A. Shnitka, King's Printer  
1939