

Bill No. 48 of 1941.

A BILL TO AMEND AND CONSOLIDATE THE TRADE
SCHOOLS REGULATION ACT.

NOTE.

This Bill amends and consolidates *The Trade Schools Regulation Act* and repeals the present enactment.

Most of the amendments are of a minor nature. Some of the sections have been re-worded to clarify their meaning and a few new sections have been added to facilitate administration and enforcement.

All schools are required to be registered and the registration is good only for one year. Application for renewal is made each year and the applicant is required to furnish such information and comply with such requirements as the Minister deems necessary before the applicant's school will be registered.

There is provision for regular inspection of trade schools, and if upon inspection, the Minister finds that any such school is not properly carried on, he may cancel its registration.

Agents of trade schools are prohibited from canvassing within the Province unless their trade school is registered under this Act.

To become registered the school has to comply with the requirements of the Minister, and consequently a check may be kept on the contracts entered into, the instruction supplied and the rates charged.

The Lieutenant Governor in Council has wide powers to make Orders in Council as to the conduct, operation, management, standards of education, and other matters relating to the better carrying out of the intention of this Act.

W. S. GRAY,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 48 of 1941.

An Act to amend and consolidate The Trade Schools
Regulation Act.

(Assented to _____, 1941.)

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 Trade Schools Regulation Act, 1941.*"

2. In this Act,—

- (a) "Minister" shall mean the Minister of Trade and Industry;
- (b) "Trade" shall mean the skill and knowledge requisite for or intended for use in an industrial or commercial occupation, calling or vocation and without derogating from the generality of the foregoing includes the construction, building, repair and operation of aeroplanes, automobiles, steam engines, boilers, internal combustion engines, machinery of all kinds; brick-laying, building, carpentry, the work of a stone-mason, plastering, plumbing, the fabrication of iron and steel, aviation, mining, lumbering, barbering, beauty culture, hairdressing, dressmaking, millinery, radio and wireless communication, television, air-conditioning and refrigeration, business courses by correspondence advertising, salesmanship, sheet metal work, electric and acetylene welding, sound-projection and motion picture operation, industrial and business management, theoretical and practical engineering, detective and secret service courses, speech and oratory courses and any other occupation, calling or vocation designated as a trade by the Lieutenant Governor in Council;
- (c) "Trade school" shall mean any school or place wherein any trade, occupation, calling or vocation is taught or purported to be taught or wherein any course of study by correspondence, of a trade, is organized, promoted, carried on, taught or purported to be taught, by any person, body corporate or association of persons, whether incorporated or not, other than a University recognized by the Department of Education of Alberta or a school or course

of instruction maintained under the provisions of any other Act of this Legislature, or any school teaching public and/or high school courses and approved by the Department of Education of Alberta, or any school or course of tuition exempted by the Lieutenant Governor in Council.

3. No person shall keep or operate or conduct any trade school in the Province unless he is registered pursuant to this Act.

4. Every person who, at the coming into operation of this Act, is the keeper or operator of any trade school shall not later than thirty days after this Act comes into force, make application for registration in writing to the Minister in such form and with such particulars as he may prescribe, in respect of each trade school kept or operated by the applicant.

5. After the coming into force of this Act, every person desirous of carrying on or commencing the keeping or operating of a trade school in the Province shall make application for registration in writing, to the Minister, in such form and with such particulars as he may prescribe in respect of such trade school.

6. Every registration under this Act shall expire on the thirty-first day of March of each year and every person who is registered may make application to the Minister for the renewal of his registration in the same manner as is herein provided in the case of the first registration.

7. Upon the applicant for registration or the renewal of registration, as the case may be, complying with the requirements of the Minister and satisfying him that the trade school is provided with competent instructors and sufficient equipment for the teaching of any specified trade or trades, and is furnishing or is prepared to furnish proper instruction in such trade or trades, at reasonable rates, the Minister may cause the applicant to be registered as the keeper or operator of a trade school for the teaching of the specified trade or trades, and may issue a certificate of registration accordingly.

8.—(1) The Minister, or any person authorized by him in writing, may inspect any trade school at any time during which it is being kept or operated, to observe the method of instruction given therein, and to inspect the business books and records, and all circulars, pamphlets, and other material used for advertising the trade school and the instruction afforded therein.

(2) Any person who obstructs the Minister or authorized person in making any inspection or observation, or who

refuses or neglects to produce any business book or record upon demand shall be guilty of an offence and liable on summary conviction to a fine of not more than one hundred dollars, and in default of payment, to imprisonment for a term not exceeding two months.

9. If, as the result of any inspection of any trade school, or upon being otherwise credibly informed, the Minister is satisfied that a trade school in respect of which registration has been made under this Act, is insufficiently provided with the means of instruction, or that the charges made for the instruction given are unreasonable, or that any regulation pursuant to the provisions of this Act is not observed, he may cancel the registration and thereupon the registration and the certificate thereof shall be null and void.

10. Every person who,—

- (a) keeps, carries on or operates a trade school at any time when he is not registered pursuant to this Act, as the keeper or operator of that trade school; or
- (b) keeps, carries on or operates a trade school for the purpose of giving instruction in a trade not specified in his certificate of registration; or
- (c) enters into any contract for the furnishing of instruction other than in the form of contract which shall be set out in the application for registration, of the trade school or in a form of contract which has been subsequently approved by the Minister; or
- (d) whether acting as the owner or operator of a trade school or as an agent or representative thereof, or otherwise, sells or offers to sell instruction or a course of instruction in any trade unless such instruction or course of instruction is a course of instruction specified in the certificate of registration of the trade school registered under this Act, and unless in the case of a sale, such sale is evidenced by a contract in a form approved by the Minister,—

shall be guilty of an offence, and shall be liable, if a corporation, to a penalty of not more than five hundred dollars, and if a natural person, to a penalty of not more than two hundred and fifty dollars, and in default of payment, to imprisonment for a term of not more than three months.

11. No person who is not registered as the keeper or operator of a trade school under the provisions of this Act shall be capable of maintaining any action or other proceeding in any court in the Province in respect of any contract made in whole or in part within the Province in the course of or in connection with business carried on by any trade school.

12.—(1) No person shall hold himself out as an agent of a trade school, or canvass, negotiate or solicit any contract for the purchase or sale of any course of study of a trade school, unless the trade school is registered under this Act.

(2) Any person who violates the provisions of this section shall be guilty of an offence, and shall be liable to a penalty of not more than two hundred and fifty dollars, and in default of payment, to imprisonment for a term of not more than three months.

13. Any person who violates any of the provisions of this Act or any regulation made hereunder, if no other penalty for the violation is provided for herein, shall be guilty of an offence and shall be liable to a penalty of not more than two hundred and fifty dollars.

14. No examination held or certificate or other document granted by virtue of this Act or the regulations shall in any way be deemed to be a compliance with the provisions or requirements made by or under any other general or special Act respecting examinations to be held or certificates or documents to be granted thereunder.

15. For the purpose of carrying out the provisions of this Act, the Lieutenant Governor in Council may appoint such officers as may be considered necessary or expedient.

16. The Lieutenant Governor in Council may make regulations,—

- (a) prescribing the minimum number of hours of instruction in any trade which shall constitute a course of instruction in that trade;
- (b) prescribing the maximum fees which shall be paid for a course of instruction in any trade;
- (c) prescribing the terms and conditions upon which money paid for or on account of instruction in any trade school shall be either retained by the payee or be repayable to the payer;
- (d) designating any calling or vocation as a trade within the meaning of this Act;
- (e) prohibiting the use of any advertising relating to any trade school which may tend to mislead, and requiring the discontinuance of any specified advertisement or means of advertisement by the keeper or operator of any trade school;
- (f) providing that no certificate, diploma or other document as to competency of any person, or as to his membership in any trade school or organization in connection therewith shall be issued unless the person has submitted himself to such examina-

tion as may be prescribed by the regulations, and prescribing fees for such examination and certificate;

- (g) generally, as to the conduct, operation and management of trade schools, and the nature of any examinations for certificates of competency, the manner, times and places of holding such examinations, and the persons who shall sit as examiners;
- (h) prescribing the security to be provided by the keeper or operator of any trade school for the due performance of his contracts;
- (i) prescribing the accommodation and equipment required by trade schools and the means of instruction to be used;
- (j) prescribing the amount that may be asked, charged or received from the public for any article produced entirely or in part in any trade school, or for the material used by or for the services of any employee or student of the trade school;
- (k) limiting the number or amount of articles, goods or commodities produced in any trade school so that it may not compete unfairly with the production of similar articles, goods or commodities in any factory or shop;
- (l) fixing the times during which the public may obtain service in any trade school;
- (m) fixing the fees that shall be payable on applications for registration or renewal of registration under this Act;
- (n) exempting any trade or trade school from the operation of this Act and the regulations;
- (o) regulating the selling or offering for sale of any course of instruction offered by a trade school;
- (p) prescribing the terms and conditions upon which an agent or representative of a trade school may be registered;
- (q) prescribing the form of all certificates, diplomas or other documents as to the competency in any trade of any person, and the conditions upon which the document may be granted, and prohibiting the use of any certificate, diploma or other document not so prescribed;
- (r) providing for the making of annual returns, and the furnishing of information to the Minister by the keepers and operators of trade schools;
- (s) prescribing the privileges, terms, conditions, limitations and restrictions, to be granted to or observed by any licensee;
- (t) generally as to the conduct, operation, management, standards of education, and all matters relat-

ing to the security of the interests of the student and the public, for the better carrying out of the intent of this Act.

17. All registrations of trade schools under the provisions of *The Trade Schools Regulation Act*, being Chapter 41 of the Statutes of Alberta, 1931, shall be considered registrations under this Act.

18. *The Trade Schools Regulation Act*, being chapter 41 of the Statutes of Alberta, 1931, is hereby repealed, provided always that all orders and regulations heretofore made under that Act shall continue good and valid until they are annulled or others are made in their stead in pursuance of this Act, and any trade, occupation, calling or vocation designated as a trade pursuant to the provisions of *The Trade Schools Regulation Act*, being chapter 41 of the Statutes of Alberta, 1931, shall be deemed to have been designated pursuant to the provisions of this Act.

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

FIRST SESSION
NINTH LEGISLATURE
5 GEORGE VI
1941

BILL

An Act to amend and consolidate
The Trade Schools Regulation Act.

Received and read the

First time.....

Second time.....

Third time

HON. MR. MANNING.

EDMONTON:
A. Sholtka, King's Printer
1941