

[Chairman: Mr. Evans]

[10:13 a.m.]

MR. CHAIRMAN: I'd like to call the meeting to order, please. Thank you for your indulgence in the delay of the meeting. Today we have four private Bills on our agenda. The four are: General Hospital (Grey Nuns) of Edmonton Amendment Act, 1989; Jerry Dan Kovacs Legal Articles Act; Calgary Research and Development Authority Act, 1989; and the Calgary Foundation Amendment Act, 1989.

Beginning with Bill Pr. 2, General Hospital (Grey Nuns) of Edmonton Amendment Act, 1989, I'd like to introduce counsel Shelley Miller who will be making a representation on behalf of the Grey Nuns. Perhaps we could begin with a swearing in, Mr. Clegg.

[Miss Shelley Miller was sworn in]

MR. CHAIRMAN: Miss Miller, the practice of this committee is to hear the applications by the petitioners or their counsel. Questions are then asked, and the matters are not dealt with in terms of making a decision today. However, the matters will be dealt with at the earliest available time. We will be making a recommendation from this committee to the Legislative Assembly and will advise you of that recommendation. So if you would kindly proceed.

MISS MILLER: Yes. Thank you, Mr. Chairman.

Ladies and gentlemen, my name is Shelley Miller. I appear as counsel for the General Hospital (Grey Nuns) of Edmonton. The petition before you today relates to what would appear to be a grammatical correction to the private Bill. I'm not aware if any of you have the Bill before you, but I can indicate that the problem arises with what has been perceived as an ambiguity by an official at Revenue Canada.

The preamble to this Act indicates that the petition is for the creation of a body politic incorporation "by the name of The General Hospital (Grey Nuns) of Edmonton." However, in paragraph 1 of the statute, if you will notice at line 7, the word "The" is omitted before "General Hospital (Grey Nuns) of Edmonton." In the later provisions of the Act, in particular paragraph 15, where it says, "This Act may be cited as The General Hospital . . ." the word is included. The corporation ran into difficulties late last year after the Grey Nuns hospital was built and it was necessary to make a new application for a new category. One of the officials took the position that there was an ambiguity, and he would not give them a category under their proper name. In light of the ambiguity, he construed the operative provision as being under paragraph 1. The corporation deemed it in its best interests for the long term to have this ambiguity resolved at this time.

MR. CHAIRMAN: Thank you, Miss Miller. Parliamentary counsel will make a brief report to the committee members, and then we will entertain questions.

MR. M. CLEGG: Mr. Chairman, this is my report pursuant to Standing Order 99 on Bill Pr. 2. The Bill provides for a change in the name of the corporation. It does not request any powers which I consider to be unusual, and there is no model Bill on the subject of this Bill.

Thank you.

MR. CHAIRMAN: Thank you, Mr. Clegg. Any questions from the committee? Hearing none then, Miss Miller, do you have anything to say in summation?

MISS MILLER: No, sir.

MR. CHAIRMAN: I think your application is quite straightforward. Thank you very much for attending.

The next matter to be dealt with by the committee is Bill Pr. 12, the Jerry Dan Kovacs Legal Articles Act. As I mentioned at a previous committee meeting, Mr. Kovacs is working with my firm in Canmore, and because of that it is not appropriate for me to chair this part of the meeting. Pursuant to Standing Order 51(3) we do have the authority in the absence of the chairman and deputy chairman, which unfortunately is the case today -- the deputy chairman is not here -- to elect a member to act as chairman for this part of the meeting. So at this point in time I would entertain a motion for chairman of this part of the meeting.

MR. LUND: Mr. Chairman, I would nominate Doug Cherry.

MR. CHAIRMAN: Thank you, Mr. Lund. Are there any other nominations? Hearing none, we will declare Mr. Cherry the chairman for this part of the meeting.

As Mr. Cherry is taking the Chair, I'd like to explain to the seniors who are seated in the members' gallery that this is the Private Bills Committee. The purpose of this committee is to deal with matters which come before the Legislature and are not covered by any of the existing legislation in the province of Alberta. We make recommendations pursuant to applications before us to our colleagues in the Legislative Assembly, and the matters are dealt with at that time. Thank you for being here this morning.

[Mr. Cherry in the Chair]

MR. ACTING DEPUTY CHAIRMAN: Good morning, We're going to deal with Bill Pr. 12, the Jerry Dan Kovacs Legal Articles Act. Jerry Kovacs is seated there this morning, and I would ask Mr. Clegg if he would swear him in.

[Mr. Kovacs was sworn in]

MR. ACTING DEPUTY CHAIRMAN: Thank you, Mr. Clegg.

Mr. Kovacs, would you care to make a presentation at this time?

MR. KOVACS: Thank you very much, Mr. Chairman. Good morning, ladies and gentlemen. I can't, unfortunately, promise to keep my remarks as brief as Miss Miller's. Unfortunately, I went to law school, and I was at one time a candidate for public office, so I'm somewhat prone at times to making long-winded speeches. But this morning I will attempt to keep my comments brief, concise, and to the point to your benefit.

First, may I state the purpose and objective of this particular Bill. It is to allow the Law Society of Alberta to admit me as a student-at-law under section 41 of the Legal Profession Act with two periods of articles, one in 1989 and one in 1990, after I have been called to the Bar of the Law Society of Upper Canada. The period of articles for this year, 1989, will be 14 weeks, or three and a half months: June, July, August, and part of

September.

Now, the origins of this particular Bill go back to February of 1989 when I approached the Law Society of Alberta and informed them that I would be employed with the firm of Evans & Rencz in Canmore this particular summer. I inquired regarding the requirements for admission to the Law Society as a student-at-law, and they informed me that there was no particular provision of the Legal Profession Act whereby I could gain admission and be granted recognition and credit for the work I spend this summer towards becoming a barrister and solicitor in Alberta. So I circulated some documents, the second of which is a letter dated March 10, 1989, from Mr. Joseph J. Oman, deputy secretary, whereby Mr. Oman informs me that because it is impossible for the Law Society to admit me as a student-at-law, I would be well advised to seek admission by way of special legislation of the Legislative Assembly of Alberta. So that's where the particular idea for this private Bill originated, with the Law Society of Alberta.

You will note that he indicates that the education committee of the Law Society would be sympathetic to my position, and he cites my intentions as most commendable. However, he indicates that the Law Society is constrained by the provisions of the legislation, and private legislation is the only manner in which my particular situation could be accommodated. The Bill that will hopefully be before -- I don't mean to be too presumptuous -- the Alberta Legislature is the third draft. The first two drafts were given a great deal of care and consideration. They involved discussions amongst a good number of people, and I wish to take this opportunity to personally thank Mr. Michael Clegg, your Parliamentary Counsel, for all the work and advice that he has given me in the preparation of this final draft. I very much appreciate your efforts on my behalf.

The Law Society has seen every draft, and all of the recommendations or suggestions that they made for changes have been incorporated or accounted for. So basically what this does is enable the Law Society of Alberta to do what it cannot do under the provisions of the Legal Profession Act. This Bill in no way limits or restricts the independent and autonomous decision-making authority of the Law Society of Alberta to prescribe the period of articles under which I should study law or meet the admission requirements under section 41 of the Act or write certain exams that they require. You will notice that there is a letter from Brenda Guesinghaus, the members' secretary, which indicates that the normal period of articles for someone who has been admitted to the Bar in another province is six months.

Unfortunately, my situation is this: I attended law school, I articulated with the city of Windsor in Ontario, and this September I am returning to Ontario to undertake the formal part of the Bar admissions course, which is five months of study and eight examinations. At the end of January in 1990, I propose to return to Alberta, my home, and continue articling here in order to fulfill the remainder of the requirements for articling and the exams which the Law Society may prescribe. Therefore, this Bill doesn't intrude upon the decision-making autonomy of the Law Society. What it does, I believe, is assist the Law Society to deal with my case, because they cannot do so under existing legislation.

Now, what I decided to do was a little research. I don't think there are too many law students that don't do research. I decided to just see, for the sake of interest, what other provinces do in a similar situation to mine. How would they treat the fact that I have articulated in Ontario and wish to go to their province,

for example? Well, in Prince Edward Island the Law Society there would grant me three months' credit for the work that I had done in Ontario. Not the fact that I'm not admitted to the Bar in Ontario, as is the case in Alberta, but the fact that I've just articulated there -- they would grant me three months' credit for the work I have done there, and I would be required to take their Bar admissions course, which is one week in duration.

In New Brunswick, the Law Society there would grant me six months' credit for the work I have done in Ontario, and so I would articulate for six months and there would be no Bar admissions course.

Nova Scotia, another one of my favourite provinces, would also grant me six months' credit for the work I have done in Ontario, and their Bar admissions course would be five weeks long.

In Manitoba, moving slightly west here -- I skipped Quebec, because Quebec is a province involving civil law, and I studied common law -- rule 46 of the Act which governs the Law Society there is even more liberal than those in Prince Edward Island and Nova Scotia and New Brunswick that I've already cited. Their Act provides that they can waive all of the requirements and outright admit an individual as a barrister and solicitor without any articling or examinations to be written.

In Saskatchewan, the Law Society there would also grant me six months' credit, had I decided to go there, and they have a five-week course.

Now, these are cases where I would have approached them as an articulated student, having served my apprenticeship, if you will. So what this Bill does is allow the Law Society of Alberta to do that which the law societies of other provinces are already able to do under the legislation which governs them, and that is to grant recognition and credit for work I've already done in Ontario. I understand that there may be some teachers amongst you, and you will well appreciate that you may have experienced students who appreciate recognition and credit for the work that they've done. That's all part of the learning process and the process of motivating individuals to do even better.

You will note that there is a letter from the Law Society dated July 6. And I apologize; I have copied on both sides to save a little paper and a little bit of time. On the one side is my letter to them, and on the other side is their letter of June 2. They asked that this Bill in no way restrict their authority or their power to deal with me as a student member of the Law Society of Alberta, and that's exactly what we've done. You will note that in my reply to them dated July 6, I have sent them every document and every piece of supporting information or correspondence that they require pursuant to section 41 of the Act. They were afraid that if I was exempted from the entire section of the Act, I would not be required to provide them with certificates of good character, proof of citizenship, an application to the Universities Co-ordinating Council that would evaluate my degree from the University of Windsor, and a cheque for admission and application fees. That was a reasonable request and one that I was pleased to agree to. So all we're dealing with basically is section 41(d) of the Legal Profession Act, which admits me notwithstanding that I am not a barrister and solicitor of Ontario, and provides two separate periods of articles. If there is any indication of the position of the Law Society of Alberta in this matter, which has indicated to me that they don't intend to oppose this Bill nor do they intend to support it, they cashed my cheque for \$290 for the application and admission fees. So it seems to me that if nothing else, they like my money.

The Universities Co-ordinating Council has granted a certifi-

cate of approval. I received it in the mail yesterday, which is why I was late in delivering this material to you. They have indicated that they have unconditionally approved my degree, which means that I won't be required to take any further law courses or examinations prior to being admitted as a student-at-law here. This is standard procedure where someone obtains a university degree from another province. The Universities Coordinating Council in connection with various societies evaluates that particular degree to see if meets with Alberta standards, and mine does.

My application to be a student-at-law has been submitted to the Law Society of Alberta, and I signed Articles of Clerkship with Mr. David B. Rencz in early July. Ours is a typical principal/student relationship, the same as any other student-at-law in this province. I'd like to just give you an idea of some of the work I do. It's involving the handling of files. He explains to me what he does, what he wants me to do and why, and we have a very good one-on-one working relationship. You know, when I was in Ontario I worked at a municipal corporation. There were five lawyers there and five secretaries, and there was a great deal of work. Sometimes there wasn't that opportunity for a one-on-one relationship and to learn firsthand. I'm getting that here, and it's proving to be an extremely worthwhile educational experience. I'm learning how to deal with individuals, conduct interviews; I'm learning how to deal with office administration and office operation.

For those of you here who may be involved in farming or ranching or the agricultural industry, you'll understand what I'm talking about, because in your particular profession farming is more than just raising livestock or producing commodities. It's a way of life, and it's a business. It's a business from your experience that you pass on to your children and their grandchildren. I'm learning the same thing here. I'm learning how to provide not only legal services to people who come into the office but how to run a business, and I'm learning a great deal there. The areas of law that I've experienced cover a wide range, from real estate, criminal, young offenders, matrimonial, builders' liens. I could go on and on. It seems that every day something new comes up, and I'm enjoying it a great deal.

In addition to that, the practical aspect of the practice of law. The Law Society sent me a list of statutes and materials that is standard reading and study for all students of law. I'm pleased to indicate that in my spare time -- when I haven't been out enjoying the fresh air and the scenery in the Bow Valley -- I've been doing a little reading, and I've read all the materials that they suggested I read plus a few more in addition to that.

Finally, towards the end of the documents you'll see that there is a letter indicating that I will be returning to Ontario. On the back of it there's a timetable I thought I'd attach for your information, which indicates the courses that are to be taken and the exams. Now, what I find particularly appealing about my situation is this: that I went to law school and I articulated in Ontario, I'm coming back to work in Alberta for 14 weeks, and in mid-September I will return to Ontario and have a chance to sit down in a classroom once again and study the law in a classroom environment using the texts and the materials that are distributed. But what makes it even more interesting is the fact that I'm going to be able to compare and contrast the way the law is practised and the way the law exists in Ontario and Alberta. I think that's just a tremendous learning experience, especially for someone from western Canada who perhaps has felt that from time to time this country is dominated too much by the centre

regions.

This Bill does not interfere with the ability of the Law Society of Alberta to prescribe the period of articles that I shall serve here or prescribe the exams that I shall write. What it does is allow them to grant me credit for the work I'm doing now, something that the Legal Profession Act does not do. For this reason I believe that the Bill is fair and it's reasonable and it's just. I wish it to be known here, in the clearest terms possible, that the Law Society of Alberta will still have the power and the authority, despite this Bill, to deal with me in the manner that they see fit. Because I quite agree with them: it's only in my best interests, as well as theirs, that I feel competent and capable to carry on the practice of law as a barrister and solicitor in Alberta.

If this Bill is passed, I will return to Alberta in early 1990, after being called as a barrister and solicitor in Ontario, to complete the articles here and fulfill whatever requirements the Law Society of Alberta asks me to fulfill. If they indicate, for example, that my period of articles shall be six months, this Bill will permit them to give me three months' credit towards the six months. If they say it shall be nine months, it'll still give me credit for six months, whatever. But they'll still have the power and authority to determine what the period of articles shall be and the exams. It's just that I'll have credit for having worked here this summer.

Throughout this entire process -- if you don't mind me concluding on a personal note -- many conversations and much correspondence during the past five months have transpired, and I've learned a great deal. In addition to that, and I don't wish you to be swayed by this, I've expended almost \$800 of my own money in the way of applications and fees and disbursements for phone calls, et cetera. But despite all of this -- the time and the money, you know, doesn't really matter that much, because what's important is the learning experience. We always learn from our experiences and move on.

I'm going to take a little bit of a gamble here by concluding with some remarks made by Premier Getty last week, as a matter of fact. He made them in relation to an issue that's in the public forum these days. He was talking about cabinet ministers and Members of the Legislative Assembly of Alberta. As the Premier of the province I know he's perhaps biased politically, but I would hope that the leaders of the New Democratic Party and the Liberal Party would perhaps look at his comments and consider what he said and how it might apply to members of their caucuses as well.

It comes from the *Calgary Herald* dated Thursday, July 13, 1989, at page 10, if you don't mind me quoting, please, in this particular case. I hope the *Calgary Herald* hasn't misquoted Premier Getty. I quote from Premier Getty:

"You do not just write something or declare something to be so, and then fit all the people of Alberta in or out, black and white," Getty said.

Premier Getty indicated that he feels that government and opposition MLAs want constituents dealt with in "a compassionate and flexible" manner.

I suppose, to conclude, that's why I'm here: to present my case, to lay before you the facts, and indicate that in fact I am looking for some compassion and some flexibility.

I thank you for your time, and I look forward to any questions or comments that you may have.

MR. ACTING DEPUTY CHAIRMAN: Thank you, Mr.

Kovacs. I'll ask Mr. Clegg to report on the Bill.

MR. M. CLEGG: Mr. Chairman, this is my report on Bill Pr. 12 pursuant to Standing Order 99. The Bill makes two exceptions in the general law which are permissive. They permit the Law Society to treat Mr. Kovacs under section 41 of the Legal Profession Act. It also permits the Law Society to prescribe articles in two separate periods rather than in the normal single period.

There is no model Bill on this subject, and I do not consider, apart from the items I have mentioned, it contains anything which I would consider to be unusual.

Mr. Chairman, in addition to my report I would just like to comment that the Bill as distributed to the committee does not yet bear Mr. Thurber's name as sponsor. He is the sponsor of the Bill. We just haven't had time to get it printed in at this stage. The Bill will be printed with his name on it in the near future.

MR. ACTING DEPUTY CHAIRMAN: Thank you, Mr. Clegg. Questions from the committee? Mrs. Gagnon.

MRS. GAGNON: Thank you, Mr. Chairman. Mr. Kovacs, did the Law Society of Alberta indicate that they were concerned about the precedent that this might set, that a number of Albertans who attend law school in other provinces would wish to article in their home province rather than in the province where they attended law school?

MR. KOVACS: No, ma'am, they did not. All they indicated to me was that they weren't going to oppose it nor were they going to support it, which left me, I hope, with the reasonable conclusion that they were going to remain neutral on the subject, and that they were going to leave it to the hands of the Legislative Assembly and this committee to determine whether or not it should be introduced.

MRS. GAGNON: A follow-up question, if I might. My understanding is that you're now ready to go back in the fall for the six-month Bar-ad course. The normal procedure is that you would possibly article in Ontario before going back for that six-month Bar-ad program. Why, if it isn't too much of a personal question, did you decide to article here rather than in Ontario, which is the usual practice?

MR. KOVACS: No, not at all. I don't mind answering personal questions. I was a candidate for public office two years ago, and I had my fair share to answer many of them. I don't mind in the slightest.

Basically, what I want to do is . . .

MR. ACTING DEPUTY CHAIRMAN: Pardon me for interrupting, Mr. Kovacs. If you could just make the mike . . .

MR. KOVACS: I looked for jobs in Alberta a couple of years ago when the economy was bad. I looked in Lethbridge. I looked in Calgary. I looked in the Bow valley, in the Jasper area. They were very difficult to find. In fact, there are more jobs for students in Ontario compared to more students than jobs in Alberta. What I decided to do was remain in Ontario for a couple of reasons. First, there were more jobs in Ontario, and I couldn't find one here. Second, I had purchased property in Ontario, and it was very convenient for me to just stay there. You

know, when you accumulate all these things and a home, life becomes very comfortable. Thirdly, I practised municipal planning and environmental law. Quite frankly, I sent out one résumé, I had one job interview, and I was offered the job. So it was a combination of all these factors that led me to remain in Ontario. I've been away for 10 years, with the exception of vacations and summers back here in southern Alberta, and I'd like to return.

You know, the way this works out, I think, has some hidden advantages. For far too long I've felt that this province and the western region of Canada have been dominated by central Canadian political and business interests. What is necessarily good for Ontario and Quebec is not necessarily good for the maritimes or the west. So by being a barrister and solicitor in both Ontario and Alberta, I have a chance to be here yet represent western clients or western interests in Ontario from time to time if necessary. Albertans shouldn't have to go to Ontario to hire a lawyer because they want to do something in Ontario. Wouldn't it be great if someone from Alberta could go to a little law firm somewhere in Alberta -- I guess it would be mine -- and say: "We know you're a barrister and solicitor in Alberta and in Ontario, and we have some business dealings down east. Instead of us going to Toronto to hire some Bay Street lawyers, we want you, a westerner, an Albertan born and raised, who understands our views and concerns, to go to Ontario for us and act on our behalf." So for me there is that hidden benefit that I find quite appealing.

MR. ACTING DEPUTY CHAIRMAN: Go ahead, Mr. Clegg.

MR. M. CLEGG: Mr. Chairman, just for the record, with respect to the member's question, I want to clarify that Mr. Kovacs has in fact completed articles in Ontario as well. It's not that he is doing articles in Alberta instead of Ontario; he was doing them in both provinces.

MR. ACTING DEPUTY CHAIRMAN: Good. Thank you, Mr. Clegg.
Mr. Musgrove.

MR. MUSGROVE: Mr. Chairman, generally when something like this comes up in a particular Act, it sparks a need to review that Act. I'm wondering if this is probably going to have the effect on the Legal Profession Act, that we will review it and close a gap that created this problem.

MR. M. CLEGG: Mr. Chairman, I'd like to comment on that, if I may. The Legal Profession Act provides two different sections, one which provides a 12-month period of articles for those people who are not members of the Law Society of another province and another section which provides a six-month period for those who are members of the Bar of another province. The special situation Mr. Kovacs is in, which is rather unusual, is that he will very soon be a member of the Bar of Ontario, he hopes; he's on track for that. By then he will have commenced part of his articles in Alberta. So he is really asking to be treated now as if he had achieved the status which he will achieve even before he's finished his Alberta articles, but he wants to be treated from the point of view of articles period, or he wants to allow the Law Society to have that power if they choose to say, "Well, you can start your Alberta articles now as if you were already a member of the Ontario Bar." Now, he will

be a member of the Ontario Bar, if things work out properly, before he finishes his Alberta articles. I hope I'm summarizing the situation correctly.

The situation is extremely unusual, and I don't think many people would fall into this situation. They would perhaps normally finish their Ontario articles and then come here, or they would do it the other way around. He just happens to be handling the two things at the same time, and that's why he's caught in this situation. So I don't see it as an area where the Act is deficient, because it's an extremely unusual circumstance and perhaps it's the kind of unusual circumstance which is best dealt with from time to time by private Bill applications. We've never had an application like this before, and I doubt very much whether there are many people who are in exactly the same position as Mr. Kovacs. It's just a concordance of two different segments of his training which come together at the same time.

MR. ACTING DEPUTY CHAIRMAN: Thank you, Mr. Clegg. Mr. Woloshyn.

MR. WOLOSHYN: Mr. Chairman and Mr. Clegg, the effect of this Bill -- and I want to talk about the effect of the Bill if it were passed, please, Mr. Clegg -- would be to admit Mr. Kovacs to an articling position in Alberta without having been a member of any other Bar society, which is usually the normal course for out of province, and without having completed his courses at the University of Alberta. Is that correct?

MR. M. CLEGG: Mr. Chairman, that's not quite the situation. There are three elements to this. First of all, the Bill doesn't authorize admission. It gives the Law Society the discretion to carry out their normal professional assessment and to require what they require. The Bill, as drafted, says all the way through that the Law Society may do these things.

Secondly, the only difference is that he will have a six-month period, as if he were a member of another Bar, as opposed to 12 months.

MR. WOLOSHYN: If I may, another question, and not quite so tough; I don't want to see you choke up totally.

The only other exception this Bill would create would be to split his articling period into two distinct periods with an intermission, shall we say. Is that correct?

MR. M. CLEGG: That is correct, yes.

MR. ACTING DEPUTY CHAIRMAN: Mrs. Black.

MRS. BLACK: Thank you, Mr. Chairman. Mr. Clegg, it's my understanding that the articling periods within the various professional associations are intended to acquaint or help acquaint the articling student with the statutes as they pertain to the particular provincial jurisdiction. I guess I have some concern over the shortening of articling periods from a society as a society has deemed fit.

I'd like to look at the letter dated June 2 from the Law Society, from Mr. Turner. If I can just read it out, it says: the contents has come to the attention of the Law Society's administration and it would appear that the Bill would dispense with the normal requirements for admission in that the Bill, if passed, would grant status as a student-at-law and prescribe the exams to be written and prescribe that you be granted member-

ship without any reference to our prerequisites such as Certificates of Character, etc., which I am sure is not your intention in seeking your Private Members' Bill. We would ask that you review the working of the Bill to ensure it deals with your specific concern and does not exempt you from the remaining requirements for admission under the Legal Profession Act.

I'm not too sure what the et ceteras are. We have "Certificates of Character, etc." So I think there is some concern within the Law Society that there would be an exemption from the general admissions to the norm through this amendment of the Bill, and I don't see in the Bill anything that deals with that other than it deals with section 41(1), which is the general admission to articles within the province. That's the number one question.

Secondly, I'm wondering, sir, what would happen with your clerkship and the relationship with the principal that is sponsoring you through your articles. You would then, from what I can gather from this, basically have two principals in place at once -- one within the province of Ontario and one in the province of Alberta -- that you would be articling under, in essence, if you were going to transfer your article period from Ontario to Alberta. I may have misunderstood you, but I gather then you'd be looking for credit from one principalship to the other.

MR. KOVACS: To answer your first question first, you referred to this letter here. Well, if you will note on the back of it my reply of July 6, where I apply for admission as a student at law, I've included all those things which they were afraid would not be required had draft two been introduced. But thanks to Mr. Clegg, it's been revised, so all their concerns have been addressed and met. I'm complying with all the other requirements of section 41, and my letter of July 6 indicates that. And that's why that's included there.

With respect to your concern regarding articles, I didn't attach it, but you'll notice in my letter of July 6 to the Law Society of Alberta, I've referred to item 4, and enclosed with all the documents was:

- Notarial Certificate respecting,
 - (i) Certificate of Service Under Articles (Ontario),
 - (ii) Affidavit of Service Under Articles (Ontario).

Basically what these two documents are are just documents that have been signed between me and Mr. Kellerman, who is the city solicitor in Windsor, Ontario, indicating that my service of articles in Ontario for 12 months has been completed. So now I get to go on to the teaching section of the course in London in September. So I've completed my articles. I've done that. I'd like to start all over again here.

MR. ACTING DEPUTY CHAIRMAN: Dr. Elliott.

DR. ELLIOTT: Thank you, Mr. Chairman. I appreciate the summary Mr. Clegg gave us, and I regret that I was called out for a minute.

My question is simply this. It's not uncommon to have lawyers practising in different provinces and entitled to practise in different provinces. I'll just ask, what's the real short answer to the problem here? Is it a time factor? Are we trying to shorten up a time concern? Is that the question?

MR. KOVACS: No, sir. Not at all. Basically, what it is is just to separate the time period into two separate segments. For example, if you'll look at the materials I distributed earlier, there is a letter from Brenda Gesinghaus, who is the members' secretary, and she indicates in her last paragraph, and I quote:

The usual period of articles prescribed under this section is 6 months and the usual examinations would be Statutes and Practice & Procedure.

That doesn't mean that the articling period will definitely be six months. It could be seven or eight or nine depending on what the education committee of the Law Society prescribes, depending on the individual applicant. What this will do, for example: if the Bill is passed and the Law Society admits me as a student at law and says, "Mr. Kovacs, your period of articles shall be eight and one-half months in duration, not six or 12 or 11 but eight and one-half," this Bill will allow them to give me credit for three and a half months like the other provinces have done. So in effect I'll have articulated for three and a half months now and then will come back in February of 1990 for the remaining five, which shall comprise the total of eight and a half months. In addition to that, they shall say: "You will be required to write these particular exams on these subjects. We will send you the materials to study, and we will tell you what to study." Of course, that aspect of it is independent, and then you go and write the exams. So all that's basically doing is allowing them to give me credit for the time I spend this summer towards whatever particular period of articles they choose to prescribe for me, and that's their decision.

MR. ACTING DEPUTY CHAIRMAN: Any other questions from the committee?

Well, Mr. Kovacs, I want to thank you. The committee will make their recommendation to the Assembly and to you in due course. We thank you again for the good presentation.

MR. KOVACS: Thank you very much, ladies and gentlemen.

[Mr. Evans in the Chair]

MR. CHAIRMAN: Committee members, we will now proceed to Bill Pr. 6, the Calgary Research and Development Authority Act, 1989. We'll have Mr. Bredin sworn in by Parliamentary Counsel.

[Mr. Bredin was sworn in]

MR. CHAIRMAN: Mr. Bredin, the purpose of this committee is to hear representations from petitioners and their counsel and then review in detail the petitions, report to the Legislative Assembly and back to you in due course. So we would be pleased to hear your application.

MR. BREDIN: Well, Mr. Chairman, Bill Pr. 6, the Calgary Research and Development Authority Act, 1989, consolidates and makes some changes to the existing Act incorporating that body. The Calgary Research and Development Authority is a joint project of the city of Calgary, the Calgary Chamber of Commerce, and the University of Calgary. It is also supported by the government of the province of Alberta, and there are some provincial representatives who sit on the board of that body. The purpose of the authority is to provide buildings and support facilities for young industries that want to start up and avoid the cost of building their own buildings and getting their own computers, their own facilities. So it's largely a body that supports small business getting into business in Calgary. It operates two buildings, Discovery Place 1 and Discovery Place 2. These are buildings which are now rapidly filling up with small companies

and providing them with essential services.

I might say I could summarize what the Bill does in a largely general way in that it adds increasing sophistication to the existing Act. The authority has become quite large, and we have introduced a number of provisions from the Alberta Business Corporations Act, calling on the members to report any conflicts of interest they may have, any material contracts in which they may be interested — that is, contracts of the authority in which they may be interested either by themselves or by any company they are interested in. It requires complete disclosure on that ground, and also from any affiliate. In the old Act reference was made to the Municipal Government Act, and many of those references are obsolete. The provisions of this Act had the same requirements as to qualifications as the Municipal Government Act, but that Act no longer deals with the qualifications of members, so we have put those provisions in specifically. For example, section 123 of the Criminal Code is now a section dealing with firearms and the original section dealt with bribery and other offences with respect to municipal officials. So we have introduced that particular section of the Criminal Code, and similarly other references were more or less obsolete.

It does change the quorum of the authority from seven members to five. That was asked for by the authority in this Bill. It provides also for indemnification of members, that the authority may enter into an agreement with each member or any previous member, indemnifying him for any loss or damage he may suffer from having been a member of the authority. The provisions are substantially the same as the provisions in the Alberta Business Corporations Act.

Those are pretty generally the changes that have been made. The Act does repeal the existing Act. We had so many small amendments with changing and numbering that Mr. Clegg was good enough to agree that we might introduce this as a consolidating Bill, clearing up the changes without trying to find your way through the many changes in the old Act. Those are basically the gist of the provisions. I'd be glad to answer any questions.

MR. CHAIRMAN: Thank you very much, sir. Perhaps we'll begin with the report from Parliamentary Counsel.

MR. M. CLEGG: Mr. Chairman, this is my report on Bill Pr. 6 pursuant to Standing Order 99. The Bill does not ask for any provisions which I consider to be unusual, nor is any model Bill on this Act. This Bill essentially replaces the previous Act that was passed by this Assembly and incorporates the presently desired amendments. In the examination stage I felt it would be more convenient for the committee to deal with a complete revised Bill rather than deal with an enormous number of amendments on an existing Bill. It would also give the authority an official completed document. Although there is provision for consolidation and revision of public legislation to be carried out at public expense, there is no other provision for consolidating and revising private Acts. So the only way to get an official Act which includes all the amendments that have been passed over the years to an existing organization such as in this case is to repeal and re-enact the legislation to give them a fresh Act. That is what is proposed here. I felt it was the most convenient process for the committee and also gives the authority the advantage they would like to have in having a fresh Act.

MR. CHAIRMAN: Thank you, Mr. Clegg. Questions from the

committee? Mrs. Hewes.

MRS. HEWES: Sir, you represent the authority itself. Am I correct?

MR BREDIN: Yes. We're solicitors for the authority.

MRS. HEWES: Then it is my understanding that speaking here for this new Act for the authority, I can assume that all those parties who are responsible to appoint the membership of the authority in fact subscribe to this Bill. That is, I don't have any information that says the city of Calgary is in support of it, the University of Calgary, and so on.

MR BREDIN: Yes. The three bodies that support this have seen a draft of the Bill and are fully in support of it. In fact, most of the changes came on their initiative.

MRS. HEWES: Thanks.

MR. CHAIRMAN: Thanks, Mrs. Hewes. Any other questions from the committee?

MR. HYLAND: Mr. Chairman, if I'm reading this right, then, 12 members of the authority plus an additional six can be appointed jointly by the three groups. So that comes to 18, with the president as 19. The quorum has to be lowered to five to get enough people that are actually interested in attending meetings. To me that seems quite low. According to section 6(1), it notes four members by city council, four by the university, and four by the chamber, plus the president. And 6(2) says the three groups shall have the power to jointly appoint six more. So we're dealing with 18, 19 people, and we've got to lower the quorum to five.

MR BREDIN: One thing with respect to the quorum, the section dealing with the quorum provides that there must be one representative of the council of the city and of the university and the chamber in that quorum of five. I didn't mention that. So the group must be represented in that small quorum. I think there have only been two additional members appointed, and both of those are representatives of the province of Alberta. Although as you say, it could be that large.

MR. CHAIRMAN: For the purposes of comparison, a quorum is roughly equivalent to the quorum in this Legislative Assembly, percentage-wise about one-quarter of the members. Any further questions from any of the committee members?

MRS. B. LAING: Just for my information, could you tell me some of the activities the authority carries out?

MR BREDIN: I beg your pardon.

MRS. B. LAING: Could you go over some of the activities that the authority carries out?

MR. BREDIN: That the authority carries out? Yes, as I say, it's prime purpose is in providing support for new businesses of a highly technical nature, the computers and technical companies of that kind, that want to start up. They provide a building. They provide secretarial and support staff, telexes and faxes,

and all those things in a building. They've just opened a new building in the University park called Discovery Place I. These facilities were all there. I was present at the opening. They have a number of small businesses in there, and they can start up with far less capital with the facilities provided by the authority. They are charged rent, of course, but they couldn't initially start with all the equipment and facilities they have without that.

MR. DOYLE: Mr. Chairman, my question is in regards to page 7, item 9.

A person is not qualified to be appointed as or to remain a member of the Authority if he

(1) is convicted of

(a) an indictable offence punishable by death or by imprisonment for a term of five or more years.

Is it really necessary -- we don't have a death penalty -- to have "punishable by death" in this particular Act?

MR. BREDIN: Well, this was in the original Act. This was one of those provisions that was in the old municipal Act which was made part of this Act. All we have done is put the specific provision in there without any changes. There was no change from what was in there before. The same with Section 123 of the Criminal Code. It was a different number because there's been a federal revision of Statutes, and that deals with bribery of municipal officials. But this is not new. That's all I can say.

MR. DOYLE: Not being a lawyer, I question that point.

MR. CHAIRMAN: Thanks, Mr. Doyle.
Mrs. Black, did you have a question?

MRS. BLACK: Yes, Mr. Chairman. I'm sorry I'm not familiar with the original Act that governs the Research and Development Authority, but could we just briefly highlight the sections that have been changed? I understand we've amalgamated some things together, but what have we changed?

MR. BREDIN: I could do that. In fact, I could run briefly through each section without taking too much time, if that's . . .

MR. CHAIRMAN: If you would, I think that would be helpful for the committee.

MR. BREDIN: The first part of the new Act is rather elaborate because it contains a lot of definitions on affiliates and that sort of thing. That was all made necessary by the fact that the authority does have an affiliate. It's an affiliate that actually owns these buildings, so we have elaborate procedures. That is largely made necessary for these provisions dealing with an interest in contracts or an interest in bribery and that sort of thing. It's a much tougher Act.

Mr. Clegg has made some slight changes to our advantage in the objects of the authority. He pointed out that a lot of the objects that were previously in the Act are already covered in the Interpretation Act, so we have eliminated some of those and there is a change there.

Then section 5 prohibits the giving of financial aid to a member or to an officer. Now, that has an exception in that the president, for example, who is given a loan to purchase a house -- and that is provided for as long as the contract is passed by the board of the authority. But any other aid to an officer or a mem-

ber is prohibited. That's pretty standard procedure.

There's been no change in the mechanics of the composition of the authority. There's no change in vacancies of the board. As I said, section 9 dealing with the old municipal Act, sections 29, 30, and 31, had these qualifications for council. We changed them slightly. For example, a member of the city council can't reside outside the city limits. We didn't see that that was necessary. So to that extent, that was changed, and the provisions dealing with eligibility to the city council and all municipal bodies are now contained in the Local Authorities Election Act. So rather than referring to all those Acts, we've simply said the same things that are in those Acts, with the change of permitting members residing outside the city to become members of the authority. I'm sorry that members of the Legislature aren't eligible, but that was in the old Act too. I think they prohibited the Senators, but we permitted Senate members to be members of this body.

Sections 10 and 11 were not changed. The powers of the president in section 12 were not changed.

One new section, section 13, permits the authority to set up committees. They've found that they need to do that once in a while. For example, there was a special committee set up to study this Bill; representatives of three bodies studied this Bill. That was not provided for in the old Act.

Section 15, saying that the authority's business shall not be carried on for gain, was not new. It has to be carried on on a charitable basis.

I've mentioned section 16 as having contracts with the authority. Any member or officer that has contracts with the authority must disclose them. If they become a member when they have an interest in a contract, they must disclose it promptly. But these sections are almost word-for-word from the Alberta Business Corporations Act and are pretty well established.

Section 17 reduces the quorum, as I said, from seven to five, but there must be a representative from the three incorporating bodies present to form the quorum.

Another new section was section 18, which permits a resolution in writing to be as effective as though it were passed in a meeting. Sometimes it's possible to circulate a resolution among the members of the authority when you can't get them all together. Sometimes that's done in counterpart. That's a pretty standard procedure in company law, and also it's provided for in the Business Corporations Act.

Section 19 sets a somewhat higher standard for members than was in the old Act. It comes from the Business Corporations Act and says they must act honestly. It doesn't require anything that one wouldn't expect it to require, but it was not provided for earlier and follows the Business Corporations Act.

Section 20 provides that a member, if he's present at a meeting, is deemed to have consented to anything that goes on.

Another new section is one adopted from the the Business Corporations Act which permits the member to be excused from any problems with respect to loss or damage caused by the authority if he relied on the financial reports provided by the auditor of the company, or if he relied on the professional opinion of lawyers, engineers, accountants, or other professional bodies whose opinions are such as are expected to be relied upon. So the member is free from liability if he has, in fact, relied upon that sort of advice.

Section 21 provides for the indemnification of members, which I mentioned, and section 21(2) empowers the authority to

purchase directors' and officers' liability insurance, which they have in fact done, I believe.

Sections 22 to 24 are not new.

Section 25 requires the keeping of records in somewhat more detail than was formerly required. Section 26 says these records can be kept in loose-leaf form or in any other form that modern reporting permits.

Section 27: all the moneys the authority has is received from the city of Calgary. Section 27 permits -- at one time there was a figure in there, the amount of money that had to be refunded to the city on the winding up of the authority. The limit on that amount of money has been removed because it has advanced more money than was in that figure in the first draft.

Then section 28 repeals the existing Act.

That's a quick run through of the whole Act.

MR. CHAIRMAN: Thank you, sir.

I believe Mrs. Mirosh had a question.

MRS. MIROSH: I'm glad Parliamentary Counsel returned. My question is with regards to this whole Bill. I'm just wondering why it is prepared as a private Bill. Shouldn't it, since it seems to me rather complex, be a separate statute?

MR. CHAIRMAN: Mr. Clegg, would you care to offer a response?

MR. M. CLEGG: Yes. Mr. Chairman, the complexity of a measure is not really any test of whether it should be private or public legislation. Some of the most complex legislation in the Commonwealth is, in fact, private legislation, and some of the simplest is public. However, the reason for this Bill being private legislation is that it incorporates an authority and gives it powers. It deals with a small area of the province and only affects those people named in it. This has typically and traditionally been the area of private legislation.

The precursor Act, the one which this will replace, was a private Act, dealt with as a private Bill. So was the Edmonton Research and Development Authority Act, which was passed at about the same time, and the same as various other special municipal authorities. This is the area of law that has traditionally been regarded as private legislation and has been passed as such. In cases where the exercise of powers by a utility or a special authority such as this has a very significant impact on a broad sector of the public, then it is sometimes dealt with as public legislation, in the same way as the legislation governing professions is sometimes dealt with as private legislation, but where it affects the public very much, such as the medical profession or the legal profession, it's dealt with as public legislation.

In this particular case the predecessor Act was a private Act, and we've had a number of other Acts before this House very, very similar to this -- the Ambulance Authority in Edmonton -- and they've always been dealt with as private Acts.

MR. CHAIRMAN: Any further questions from the committee?

MR. BREDIN: Mr. Chairman, I have one point. I've found one or two typographical errors. Should I discuss those with Mr. Clegg later? One is a reference in the Act: the former Act was "amended by Chapter 37 of the Statutes of Alberta, 1988"; that should be 1986. I see two commas missing somewhere else, but I don't think I need to labour those.

MR. CHAIRMAN: Thank you, sir. As is normally the case, we do have typographical errors that do creep into these Bills, as does happen with some of the other Bills that are before this House. Usually we deal with them through reference to Mr. Clegg, and they're amended before the final copies are made. Thank you very much.

If you don't have any further comments, Mr. Bredin, on this private Bill, I would ask you to proceed with respect to the Calgary Foundation Amendment Act, 1989. I'm sure I don't have to remind you that you are still sworn. However, I will do so for the record. Please proceed.

MR. BREDIN: Well, Mr. Chairman, the prime purpose of this amending Act to the Calgary Foundation Act -- the Calgary Foundation is, by the way, a charitable organization which accepts grants from anyone who wants to leave it money, and that money is dispensed to needy organizations as the foundation's directors determine. One of the difficulties and the chief difficulty of the Bill was that while it's a charitable organization, section 3, dealing with the objects, doesn't say that it has to use its funds in a charitable manner. The word "charitable" appeared in there, but educational, recreational, and cultural were all words which were not necessarily charitable. So what we have done is used the words "educational, recreational, cultural and benevolent purposes as are charitable." So they must be charitable in order to meet the tests of the objects of the Act. They need not have been charitable, and the income tax department reminded us on several occasions that we were violating the law. We wanted to correct that part of it.

As a result of the change to number 3, we took the opportunity of providing section 11, which provides that "a resolution in writing signed by all the members" is equivalent to a resolution passed at a meeting, and that is the same section we had in the other Act. It is a standard company law section, and it was adopted from the Alberta Business Corporations Act.

Section 12 provides for the indemnification of officers and directors in much the same way as the provisions in the Calgary Research and Development Authority Act. It's a rather long section, but that's the effect of it. It also gives the foundation power to purchase insurance. It does not at the moment have that insurance, but the power is given there to obtain it, and the same section is added which gives a member of the foundation the same protection that if he relies on the financial statements of the auditor or he relies on expert advice from lawyers, accountants, engineers, et cetera, he's free from any liability, having relied on that advice. I think those are about the main things.

MR. CHAIRMAN: Thank you very much. Could we have a report, please, from counsel?

MR. M. CLEGG: Yes, Mr. Chairman. This is my report on Bill Pr. 7 pursuant to Standing Order 99. I have examined the Bill, and it does not contain any powers which I consider to be unusual, nor is there a model Bill on the subject matter of this Bill. The Bill provides for the clarification of the charitable purposes of the organization and for certain administrative changes, particularly the indemnification of directors of the organization.

MR. CHAIRMAN: Thank you, Mr. Clegg.
Questions from the committee. Ms Laing?

MS M. LAING: In section 3 you include that discrimination may not be on some grounds, but you have excluded other grounds that are now recognized under the Charter of Rights and Freedoms, including age and gender and I would also say sexual orientation. So it would seem to me that by including some and not including others, there can be an inference taken from that. So I would wonder why, in fact, they hadn't been included and if you would consider including those other grounds?

MR. BREDIN: I'm sorry, my hearing's bad. May I come over closer? I didn't quite get that.

MS M. LAING: Do want me to say it again? Okay. I'm looking at section 3 down here and the part that you referred to in terms of switching "charitable" around. The last line is: "... primarily, the inhabitants of the Calgary district, regardless of race, national origin, colour or religion." I'm questioning why, in fact, other categories which are included in the Charter of Rights and Freedoms, including age and gender, are not included, and also sexual orientation, which is not included in the Charter of Rights, but if, in fact, you could include those categories, because in including some and not naming others an inference can be taken.

MR. BREDIN: I think the only answer I have to that is that this was in the Bill when it originally was passed in 1955 as the Calgary Community Foundation Act and has been carried through. I wouldn't see any objection to the clauses you are referring to being introduced, but that was the reason why.

MS M. LAING: I assumed that, that you had just copied from the old Act, but times have a-changed.

MR. CHAIRMAN: Mr. Clegg, do you have any comments on this point?

MR. M. CLEGG: Mr. Chairman, I think this is a matter which should be considered rather carefully. I'm certain that the foundation does not wish to discriminate in a negative way, but it may well be that it would have supportive programs which were available, for example, only to women or which were available only to young people or only to old people, and it might be regarded as beyond their powers if the words "age or sex" were included in section 3. It might then be read to require them to offer their charitable support equally to people of all ages and equally to both sexes. As I said, they might have very legitimate purposes in designing charitable support just for women, for example, or just for children.

MR. CHAIRMAN: Mrs. Gagnon.

MRS. GAGNON: My question has been asked. Thank you.

MR. CHAIRMAN: Mrs. Hewes.

MRS. HEWES: Mr. Chairman, just on the same issue. With respect, to the Parliamentary Counsel, I don't understand your reasoning. My thought would be that either section 3 should say, "primarily the inhabitants of the Calgary district," full stop -- you've already identified charitable and so on and at the "discretion of the Board" -- or make a reference to the Charter of

Rights and Freedoms, which would automatically include all of the groups mentioned that should not be discriminated; for instance, those with mental disability and so on. I'm sure it's not the intent of the foundation to do that, but I think that by naming some and not others, one draws the conclusion that these are the ones that will be dealt with and not the others. It's the absence of the other groups which are ordinarily incorporated that troubles me, Mr. Chairman. Perhaps the foundation should take a quick look at it.

MR. BREDIN: I personally have no objection to what you're saying or quarrel with it, but in support of what Mr. Clegg said, I know we have one or two endowments, one to send a male student to some school in England, and there the discrimination is on the part of the donor, and we can't quarrel with or change that. We either don't accept the money or we have to accept it on the terms in which it's given. That has occurred a few times. I basically don't have any quarrel with what you're saying.

MS M. LAING: You'd be able to administer something if it said "Caucasian male" or . . . I guess what I'm concerned about is that any of these groups could be used as saying that we will do something for Caucasian males, black females, or whatever, that we could, in fact, take any of these categories and the argument could be made that if these are included, then all people, all races, all national origins, all colours, or all religions could demand equal time. So I guess my concern is that if you include some, that sets you up for the kind of argument you've made. Possibly that should be excluded so we don't have an inference taken that there could be discrimination. I guess I'm just concerned that some are in and some are not in.

MR. CHAIRMAN: Correct me if I'm wrong, Mr. Clegg. Because the Charter of Rights and Freedoms applies universally to all legislation in the dominion of Canada, regardless of what the wording might be on this particular Bill, there is still the opportunity of anyone who feels aggrieved by the particular legislation to take an application to court on the basis of the Charter of Rights and Freedoms.

MR. BREDIN: [Inaudible] add that, Mr. Chairman.

MR. M. CLEGG: Mr. Chairman, I didn't wish to appear to be arguing one way or the other for a change, but I wanted to raise the issue that it might create some difficulties for the foundation. They should, I think, consider this matter carefully of whether it would create problems for them in the administration of what they now have responsibility for if they were not allowed to discriminate on the basis of sex, for example. I was just suggesting that perhaps Mr. Bredin might take it up with them, discuss it with them, and come back to us. If they feel that they can amend the Bill and include age and sex as areas where they may not discriminate, we could amend the Bill. But if they felt it would create problems, he could explain that for the committee's consideration at a later date.

MR. BREDIN: You also suggested we stop at the word "district," and then we would be subject to the . . .

MR. CHAIRMAN: Thanks very much, Mr. Bredin.
Mr. Woloshyn, you had a question.

MR. WOLOSHYN: People have covered it pretty well. I was going to suggest you stop at "district" because those are the old clichés of the 1950s that have appeared all over. But I would suggest to you that to enhance the stature of your foundation, under the whereas clauses you might want to incorporate some statement that you will behave according to the Charter of Rights and Freedoms, just basically as a motherhood statement that takes away the fears of your behaviour.

MR. CHAIRMAN: Thank you, Mr. Woloshyn.
Mrs. Laing.

MRS. B. LAING: Just again for information, could you tell me where the funds come from and also just an idea of some of the organizations that would be funded?

MR. BREDIN: Some of the funds that are discriminatory?

MRS. B. LAING: Yes. Where do they come from?

MR. BREDIN: They mostly come to us in the estates of deceased persons, but they also come to us from other foundations, and a number of wealthy people have set up their own endowments within our foundation. Many of them are just straight donations, but mostly from estates, I must say.

MRS. B. LAING: What would be some of the activities or organizations that would be funded by your organization? Just a couple of examples.

MR. BREDIN: Just about any organization that's in need of money. We get a list every month, far more, unfortunately, than we can fulfill, that ask for money. The school board band was one we recently gave money to, and sometimes we help out the YMCA or some of these regular charities that are short of funds on a particular project. Just about every municipal group in need of money makes application to the foundation for money.

MR. CHAIRMAN: Would this, generally speaking, sir, just be applicable to organizations within the city of Calgary, or would it be throughout the province of Alberta?

MR. BREDIN: Well, it's principally in the city, because Edmonton has a similar foundation, but we do make some grants outside when they're considered quite . . .

MR. CHAIRMAN: Thanks, Mr. Bredin. Any further questions from committee members?

Well, thank you very much, sir, for attending today. We would appreciate it if you would review with your board of the foundation the issue of exclusions for various types of Charter categories and report back to us at the soonest available time. Thank you very much for attending today.

That, committee members, deals with the four issues that we had today. Mrs. Hewes, you have a question?

MRS. HEWES: Yes, Mr. Chairman. I wonder: is it possible to have the Bills in advance of the meeting?

MR. CHAIRMAN: That's certainly the intention of the committee. We apologize for not having them available today. It's essentially a printing function, and of course we don't want to

hold up these deliberations pending printing because we want to get through as many of these Bills as we possibly can. But that's the object, to try to get them to you as quickly as possible so that you do have an opportunity to review them prior to the committee meetings.

MRS. HEWES: That's not a criticism; just a request.

MR. CHAIRMAN: Thank you.

MRS. B. LAING: I wonder if it would be possible to have a short résumé or historical data, because sometimes we aren't aware of these groups. You know, a short paragraph would give us some background information.

MR. CHAIRMAN: Thank you for that comment.
Mrs. Gagnon.

MRS. GAGNON: Thank you. We will hear all of the Bills and make a decision at our last meeting. Is that the procedure we are following?

MR. CHAIRMAN: That's the general proceeding, but I think we will consider it as we go along. We don't want to have a nine-hour meeting to deal with all of these Bills. We want to give them adequate consideration. So, you know, we hope to begin that process by the first part of August. Our last scheduled meeting would be August 2. So shortly thereafter we will be able to get together and meet to deal with each of the Bills in the order that they were presented to us.

Any further questions or comments? Next week we do have two matters to deal with: Pr. 5, the Misericordia Hospital Amendment Act, and Pr. 10, the Margaret Kenford Adoption Act. Again, that meeting would begin at 10 o'clock. I believe Mr. Clegg has a comment before we adjourn.

MR. M. CLEGG: Mr. Chairman, we have received a letter from Mr. Panjwani relating to the Bill that he brought to adopt his nephew, which I have distributed to members, in which he brings forward certain further facts which would be of importance in the committee's consideration. I'm suggesting to the committee that the committee should either ask him to come back to state these facts on oath or, in the alternate, we should ask him to have these facts included in an affidavit which he would have sworn in his hometown of Calgary and sent to us. I'd like have the committee's direction in this regard.

MR. CHAIRMAN: Do we have any comments from committee members?

Mr. Doyle.

MR. DOYLE: Mr. Chairman, I would prefer to see Mr. . . . I haven't got the name down.

MR. CHAIRMAN: Panjwani.

MR. DOYLE: . . . Panjwani come back and make a presenta-

tion before this committee. I don't mean to bear any financial hardships on him, but my question still arises: what are we dealing with a person who's not a citizen of Canada for, in front of this Legislature?

MR. CHAIRMAN: The difficulty in not having the applicant before us is that we're unable to cross-examine on the affidavit. So I think that's something we should take into account.

Mr. Woloshyn.

MR. WOLOSHYN: In view of the way this particular Bill seems to be progressing, I would want both: the sworn affidavit in advance for review and Mr. Panjwani's presence here for cross-examination.

MR. CHAIRMAN: I can certainly understand your concern, but because he would be giving evidence under oath before this committee, we may be unduly prejudicing him. "Prejudice" perhaps is not the correct word but inconveniencing him, certainly. There is a cost attributable to attending at a solicitor and having an affidavit drawn up. I think the same goal would be achieved by having him appear before this committee.

MR. HYLAND: Mr. Chairman, I think I agree with the previous two members. If memory serves me right, without reviewing the transcript, one of the questions that was asked at that time was about the affidavit signed by the parents. If I remember reading that letter right, there was some comment in the letter that somebody talked about that said something about the mental capacity of those parents. So that really throws into question, you know, what he said in his testimony. Can that be straightened out by a sworn affidavit?

MR. CHAIRMAN: Well, I think all of these issues can best be settled by the attendance of Mr. Panjwani at one of our committee meetings. I tend to get the impression from the committee members that that would be an acceptable way of dealing with this additional information. Such being the case, I'll direct our Parliamentary Counsel to communicate with Mr. Panjwani and agree on a time for him to attend at one of our committee meetings.

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Thank you.

That being the agenda for today's meeting . . . Mr. Cherry?

MR. CHERRY: I move we adjourn, Mr. Chairman.

MR. CHAIRMAN: Thank you. All in favour?

HON. MEMBERS: Aye.

MR. CHAIRMAN: Anyone opposed? That's carried. See you next week. Thank you.

[The committee adjourned at 11:41 a.m.]

