

1975 Bill 22
(Second Session)

First Session, 18th Legislature, 24 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 22

THE CULTURAL DEVELOPMENT AMENDMENT ACT, 1975

HONOURABLE HORST A. SCHMID

First Reading

Second Reading

Third Reading

BILL 22

1975

(Second Session)

THE CULTURAL DEVELOPMENT AMENDMENT ACT, 1975

(Assented to _____, 1975)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

PART 1

1. *The Cultural Development Act is amended by this Part.*
2. *Section 3 is amended by adding after clause (f) the following clause:*
 - (g) collect information and statistics and undertake or sponsor research and analysis of all matters relating to culture.
3. *Section 4 is amended by adding after the words "there may be appointed" the words "a Deputy Minister to the Minister charged with the administration of this Act,".*
4. *Section 5 is struck out and the following section is substituted therefor:*
 5. (1) The Minister may make grants if
 - (a) he is authorized to do so by regulations under this section, and
 - (b) moneys are appropriated by the Legislature for that purpose or the grant is authorized to be paid pursuant to a special warrant.
 - (2) The Lieutenant Governor in Council may make regulations
 - (a) authorizing the Minister to make grants;
 - (b) prescribing the purposes for which grants may be made;
 - (c) governing applications for grants;
 - (d) prescribing the persons or organizations or classes of persons or organizations eligible for grants;

Explanatory Notes

General. This Bill will centralize the provisions relating to culture formerly contained in The Department of Culture, Youth and Recreation Act prior to the recent Government reorganization.

1. This Bill will amend chapter 82 of the Revised Statutes of Alberta 1970.

2. This clause, formerly contained in The Department of Culture, Youth and Recreation Act, will be added to the powers of the Minister under this Act.

3. Section 4 presently reads:

4. In accordance with The Public Service Act there may be appointed a Director of Cultural Development and such other employees as are required for the proper administration of this Act.

4. Section 5 is replaced by a new uniform grants section. Section 5 presently reads:

5. (1) In order to encourage or assist the orderly cultural development of Alberta or of any person or class of persons within Alberta, the Minister may, subject to the regulations, make grants or award scholarships from moneys appropriated for those purposes by the Legislature.

(2) The Lieutenant Governor in Council may make regulations

- (a) describing the purposes for which grants or scholarships may be made pursuant to this section;
- (b) specifying to whom and upon what conditions the grants or scholarships may be paid;
- (c) limiting the maximum amount payable as grants or scholarships;
- (d) respecting any other matter necessary or advisable to carry out the intent and purpose of this section.

- (e) specifying the conditions required to be met by any applicant for a grant to render that person eligible for the grant;
 - (f) prescribing the conditions upon which a grant is made and requiring the repayment thereof to the Government if the conditions are not met;
 - (g) providing for the payment of any grant in a lump sum or by instalments and prescribing the time or times at which the grant or the instalments may be paid;
 - (h) limiting the amount of any grant or class of grant that may be made;
 - (i) authorizing the Minister to delegate in writing to any employee of the Government any duty, power or function respecting the payment of any grant;
 - (j) requiring any person receiving a grant to account for the way in which the grant is spent in whole or in part;
 - (k) authorizing the Minister to enter into an agreement with respect to any matter relating to the payment of a grant.
- (3) Any regulation made under subsection (2) may be specific or general in its application.

5. Section 6 is struck out and the following section is substituted therefor:

6. (1) The Minister may establish such boards, committees or councils as he considers necessary or desirable to act in an advisory or administrative capacity in connection with any of the policies, programs, services or other matters under his administration.

(2) The Minister may, with respect to any board, committee or council established under this section,

- (a) appoint or provide for the manner of appointment of its members,
- (b) prescribe the term of office of any member,
- (c) designate a chairman, vice-chairman and secretary, and
- (d) authorize, fix and provide for the payment of remuneration and expenses to its members.

(3) A board, committee or council established pursuant to this section may make by-laws, subject to the approval thereof by the Minister, governing the calling of its meetings and the conduct of business at its meetings.

5. Section 6 presently reads:

6. The Lieutenant Governor in Council, upon the recommendation of the Minister, may

- (a) establish one or more boards, each consisting of three or more members, to advise the Minister on the orderly cultural development of Alberta, and
- (b) make regulations providing for the payment to the members of such boards of such allowances as are considered reasonable and of necessary travelling and other expenses incurred by them while absent from their ordinary places of residence on the business of such boards.

6. *The following sections are added after section 6:*

7. (1) The Minister may

- (a) acquire by purchase or lease any supplies, material, equipment or any other things, and
- (b) pay honoraria, fees, commissions, wages, rent or expenses,

that are required for any activity conducted pursuant to section 3 or for any other activity, program, operation or matter for which the Minister is responsible.

(2) The Provincial Treasurer shall advance from time to time from the General Revenue Fund such sums of money as the Minister may require for the purposes of subsection (1), but the aggregate amount of money advanced at any one time shall not exceed \$250,000.

(3) The Minister may sell, lease or otherwise dispose of anything acquired pursuant to subsection (1) at such price and upon such terms and conditions, if any, as he determines is appropriate.

(4) The money received from

- (a) any sale, lease or other disposition pursuant to subsection (3), or
- (b) any activity conducted pursuant to section 3, including registration and other fees,

shall be paid to the Provincial Treasurer and credited in reduction of the amount of the advances made pursuant to subsection (2).

8. (1) The Provincial Treasurer may

- (a) upon the recommendation of the Minister, and
- (b) in accordance with the regulations,

guarantee on behalf of the Province the repayment of principal and interest or both of sums borrowed by a person for any activity or matter related to culture.

(2) The total amount of the liability of the Province as guarantor under this section shall not at any time exceed \$3,500,000.

(3) The Lieutenant Governor in Council may make regulations

- (a) prescribing the procedure for the submission of applications for guarantees of loans under this section;
- (b) prescribing the form and content of applications;
- (c) prescribing the requirements to be met before an applicant may qualify for a guarantee;

6. Section 7 is based on section 7.1 of The Department of Culture, Youth and Recreation Act. Section 8 provides for Government guarantees in support of cultural activities.

- (d) prescribing the terms and conditions of a guarantee;
- (e) prescribing what constitutes an activity or matter related to culture for the purposes of this section and the regulations;
- (f) prescribing the conditions upon which loans may be guaranteed;
- (g) prescribing the duties or obligations or both of a person on whose behalf a guarantee is made;
- (h) prescribing the security to be given by a person in whose favour the guarantee is made;
- (i) prescribing the type or classes of lending institutions that are eligible to have repayment of loans guaranteed;
- (j) prescribing the form in which a guarantee may be given;
- (k) specifying the persons or classes of person eligible to apply for a guarantee under this section and the regulations;
- (l) delegating to the Minister or an employee of the Government under his administration any power or function under the regulations.

PART 2

7. The Alberta Art Foundation Act is amended

(a) *as to section 1 by striking out clause (c) and by substituting therefor the following clause:*

(c) “Minister” means the member of the Executive Council charged with the administration of this Act;

and

(b) *as to section 7, subsection (1) by striking out the words “of his Department” and by substituting therefor the words “of the Government of Alberta under his administration”.*

8. The Amusements Act is amended as to Part 1 by striking out the title thereof and by substituting the following title therefor:

AMUSEMENT LICENCES AND TAXES

9. The Glenbow-Alberta Institute Act is amended as to section 20, subsection (2) by striking out the words “Minister of Culture, Youth and Recreation” and by substituting therefor the words “the member of the Executive Council charged with the administration of this Act”.

10. The Interprovincial Lottery Act is amended by striking out section 1 and by substituting therefor the following section:

1. In this Act, “Minister” means the member of the Executive Council charged with the administration of this Act.

11. The Department of Culture, Youth and Recreation Act is repealed.

12. This Act comes into force on the day upon which it is assented to.

7. Chapter 14 of the Statutes of Alberta, 1972 will be amended.

8. This amendment will correct a typographical error.

9. Consequential amendment to chapter 35 of the Statutes of Alberta, 1966.

10. Consequential amendment to chapter 37 of the Statutes of Alberta, 1974.

11. Chapter 23 of the Statutes of Alberta, 1971 will be repealed.