

1979 BILL 20

First Session, 19th Legislature, 28 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 20

**THE DEPARTMENT OF TOURISM AND SMALL
BUSINESS ACT**

THE MINISTER OF TOURISM
AND SMALL BUSINESS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 20

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THE DEPARTMENT OF TOURISM AND SMALL BUSINESS ACT

(Assented to , 1979)

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

1 In this Act,

(a) “Department” means the Department of Tourism and Small Business;

(b) “Minister” means the Minister of Tourism and Small Business.

2 There shall be a department of the public service of the Province called the Department of Tourism and Small Business over which shall preside the member of the Executive Council appointed by the Lieutenant Governor under the Great Seal of the Province as Minister of Tourism and Small Business.

3 In accordance with *The Public Service Act* there may be appointed a Deputy Minister of Tourism and Small Business and such other employees as are required to conduct the business of the Department.

4(1) The Minister may from time to time engage the services of experts or persons having special technical or other knowledge to advise him or to inquire into and report to him on matters under the Minister’s administration.

(2) A person whose services are engaged under this section may be paid such remuneration and expenses as the Minister may prescribe.

5 The Minister may in writing delegate any power, duty or function conferred or imposed on him by this Act or any other Act under his administration to any employee of the Department or any member, officer or employee of an agent of the Crown in right of Alberta.

Explanatory Notes

1 Definitions.

2 Department.

3 Staff.

4 Services of experts.

5 Delegation of power.

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 the 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 rules of procedure, subject to the approval thereof by the Minister, governing the calling of its meetings and the conduct of business at its meetings.

(4) A board, committee or council established pursuant to this section may exercise such powers and shall perform such duties and functions as the Minister may approve, confer or impose upon it.

7(1) The Minister may make grants if

(a) he is authorized to do so by regulations under this section, and

(b) there is authority available in a supply vote for the purpose for which the grant is to be made.

(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;

(e) specifying the conditions required to be met by any applicant for a grant to render that person eligible for the grant;

6 Advisory boards, committees or councils.

7 Grants.

(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.

8(1) The Lieutenant Governor in Council may make regulations providing for the guarantee by the Government of the repayment of principal and interest or principal or interest in respect of loans made for the purpose of undertaking or developing projects directly beneficial to tourism or to small business within Alberta.

(2) Regulations under subsection (1) may

(a) prescribe the purposes for which a Government guarantee of a loan may be given;

(b) prescribe the persons or organizations or classes of persons or organizations eligible to apply for the guarantees;

(c) prescribe the procedure for the submission of applications for the guarantees;

(d) prescribe the form and content of applications for the guarantees;

(e) prescribe the conditions required to be met by applicants to render them eligible for the guarantees;

(f) prescribe the terms and conditions upon which the guarantees are to be given;

(g) prescribe the security to be given to the Government by applicants in consideration of the guarantees;

8 Guarantees of loans.

(h) define, for the purposes of this section, undertakings and developments constituting projects directly beneficial to tourism or to small business.

(3) A guarantee of a loan pursuant to the regulations under this section

(a) shall be in the form approved by the Provincial Treasurer, and

(b) may be executed on behalf of the Government by the Provincial Treasurer, the Deputy Provincial Treasurer or by any other person designated by the Provincial Treasurer,

and the signature on the guarantee by any person referred to in clause (b) is conclusive proof that the relevant provisions of the regulations have been complied with.

9 The Minister may on behalf of the Government of Alberta enter into agreements on any matter respecting tourism or small business with the Government of Canada, the government of a province of Canada, an agency of any of those governments, a municipal corporation in Alberta or any other person.

10(1) The Minister may acquire any estate or interest in land and any personal property in conjunction with the estate or interest

(a) for the purpose of implementing or carrying out the provisions of an agreement entered into under section 9,

(b) for the purpose of a tourism program or development, or

(c) for any other purpose in relation to a matter under the administration of the Minister.

(2) Land acquired under this section shall be under the administration of the Associate Minister of Public Lands and Wildlife unless an order of the Lieutenant Governor in Council specifies that it is under the administration of some other Minister.

11 A reference to the Minister of Business Development and Tourism, to the Deputy Minister of Business Development and Tourism or to the Department of Business Development and Tourism in an order, regulation, rule, by-law, agreement or other instrument made by or under the authority of an Act administered by the Minister of Tourism and Small Business at the commencement of this Act shall be deemed to be a reference to the Minister of Tourism and Small Business, the

9 Agreements respecting tourism or small business.

10 Acquisition of property.

11 References to former name.

Deputy Minister of Tourism and Small Business or the Department of Tourism and Small Business, as the case may be.

12 *In the following enactments, “Business Development and Tourism” is struck out and “Tourism and Small Business” is substituted:*

The Fuel Oil Licensing Act, section 14(1)(d);

The Alberta Opportunity Fund Act, section 1(1)(h).

13 *The Department of Business Development and Tourism Act is repealed.*

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

12 Consequential.

13 Repeals chapter 8 of the Statutes of Alberta, 1975 (Second Session).