

STANDING COMMITTEE ON THE ECONOMY

November 28, 2006

MINUTE NO. 33

3:00 p.m. – Chamber

1. **Present:** Mr. Yates in the Chair and Members Cheveldayoff*, Hamilton, Hart*, Higgins, Lautermilch and Weekes.

Substituting Members

Mr. Cheveldayoff for Mr. Stewart

Mr. Hart for Mr. Kirsch

Other Members

Mr. Stewart, Mr. Trew

Committee Official:

Ken Ring, Law Clerk and Parliamentary Counsel

2. The Law Clerk advised the committee regarding a concern he had previously identified in *The Wildlife Amendment Regulations, 2002*.

Concern:

Lack of precision could lead to difficulty of prosecution.

The Law Clerk summarized the regulation, the concern arising there from, and the correspondence received from the Minister. A discussion arising, the committee directed the Law Clerk to continue to monitor the regulation until the amendments committed to by the department are made.

3. The Law Clerk advised the committee regarding concerns he had previously identified in *The Energy-Efficient Household Appliances (Provincial Sales Tax) Remission Regulations*.

Concern #1:

Sub-delegation of authority not authorized by the Act.

Concern #2:

Improper citation of authority to make regulations.

The Law Clerk summarized the regulation, the concerns arising there from, and the correspondence received from the Minister. In regards to concern #2, the Law Clerk noted that the department is now complying with the committee's request. A discussion arising in regards to concern #1, the committee directed the Law Clerk to continue to monitor the regulation until the amendments committed to by the department are made.

4. The Law Clerk advised the committee regarding a concern he had previously identified in *The Crown Minerals Transfer Regulations, 2005*.

Concern:

Inconsistent wording in regulations.

The Law Clerk summarized the regulation, the concern arising there from, and the correspondence received from the Minister. A discussion arising, the committee directed that the file be closed.

5. The Law Clerk advised the committee regarding a concern he had previously identified in *The Wild Rice Regulations, 2005*.

Concern:

Unclear identification of “Minister”.

The Law Clerk summarized the regulation, the concern arising there from, and the correspondence received from the Minister. A discussion arising, the committee directed that the file be closed.

6. A list was tabled identifying all regulations filed between January 1, 2006 and December 31, 2006 that were reviewed by the Law Clerk and for which no concern was detected:

ECO 31/25 Office of the Law Clerk: List of 2006 Regulations under the purview of the Economy Committee for which no concern was identified.

7. The Law Clerk advised the committee that delegated legislation may be amended through the process of promulgating a new regulation by Order in Council or by an Act of the Legislative Assembly. He cited *Bill No. 1 of 2006-07 – The Labour Standards Amendment Act, 2006* as an example of the latter approach.

8. It was moved by the Hon. Ms. Higgins:

That the committee do now adjourn.

The question being put, it was agreed to.

9. The committee adjourned at 3:31 p.m. until 3:00 p.m. on Wednesday, November 29th.

Margaret A. Woods
Committee Clerk

Kevin Yates
Committee Chair