

The Structure of an Act*

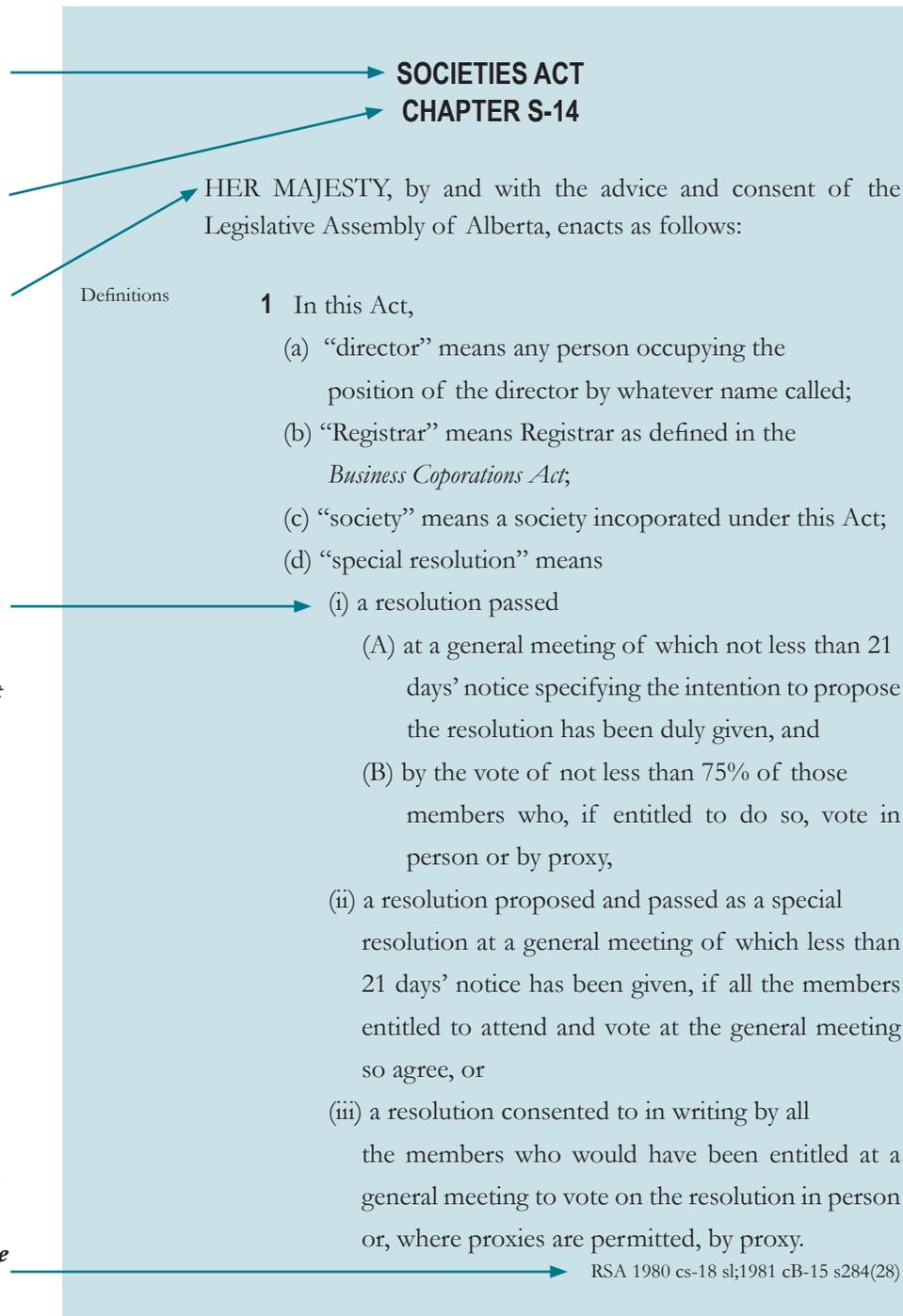
title of Act describes its subject matter

chapter number helps to locate the statute

words of enactment indicating royal and legislative authority for statute

definition section usually appears at the beginning of any statute; there may be additional definitions sections throughout the Act

the dates following each section are useful for research - one can go back and see how the section appeared in an earlier version of the statute, or learn when the section was first added to the statute, or learn when changes were made



*Example used Revised Statutes of Alberta (R.S.A 2000).

Alberta Acts can be viewed online at: www.qp.alberta.ca/Laws_Online.cfm

headings and marginal notes are not officially part of the statute but are there for clarification and quick reference purposes

boldface numbers are called sections (section 3)

numbers in parentheses are called subsections (subsection 2)

letters in parentheses are called clauses (clause b)

lower case Roman Numerals in parentheses are called subclauses (subclause v) (referred to as section 6, subsection 1, clause b, subclause i)

the all-important offence and penalty section

some law-making power is being delegated to the Lieutenant Governor

Incorporation

3(1) Five or more persons may become incorporated under this Act for benevolent, philanthropic, charitable, provident, scientific, artistic, literary, social, educational, agricultural, sporting or other useful purpose, but not for the purpose of carrying on a trade or business

(2) If an Act other than the *Companies Act* provides for the incorporation of persons for a special purpose, no society shall be incorporated for that purpose under this Act
RSA 1980 cS-18 s3

6(1) Subject to the circumstance and conditions prescribed by the regulation, a society shall not have a name

(a) that is prohibited by the regulations or contains a word or expression prohibited by the regulations

(b) that is identical to the name of

(i) a body corporate incorporated under the laws of Alberta, whether in existence or not,

(ii) an extra-provincial corporation registered in Alberta, or

General

37 A society that contravenes this Act or the regulation is guilty of an offence and liable to a fine not exceeding \$100.
RSA 1980 cS-18 s32

38 A society may change its name, and may contract in the same way as if it were incorporated under the *Business Corporations Act*.
RSA 1980 cS-18 s33;1981 cB-15 s284(28)

39 The Lieutenant Governor in Council may make regulations.

(a) for carrying out the purposes of this Act;

(b) setting the fees payable to the Registrar for incorporation and for services under this Act;

When an Act first gets passed, it will have a “Proclamation” section at the end. This relates to the question of how the law comes into force. There are 3 options: i) upon Royal Assent (this is when, technically, the Queen gives her approval), ii) after Royal Assent but on a specific date in the future, or iii) after Royal Assent but at an unspecified date, to be determined in future by the Lt. Governor (if it is a provincial law) or the Governor General (if it is a federal law). Once a law has been proclaimed, the “Proclamation” section is removed.