

1972 Bill 61

First Session, 17th Legislature, 21 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 61

The Social Development Amendment Act, 1972

THE MINISTER OF HEALTH AND SOCIAL DEVELOPMENT

First Reading

Second Reading

Third Reading

Printed by L. S. Wall, Queen's Printer, Edmonton

BILL 61

1972

THE SOCIAL DEVELOPMENT AMENDMENT ACT, 1972

(Assented to _____, 1972)

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

1. *The Social Development Act is hereby amended.*

2. *Section 2 is amended by adding the following new clause after clause (b):*

(b1) "dependant" means

- (i) a spouse who is dependent for support upon a person in need of assistance, or
- (ii) a child who is dependent for support upon a person in need of assistance and who
 - (A) is not over the age of 16 years, or
 - (B) is over 16 years of age and who is attending an educational institution, when authorized by the Director, or
 - (C) is over 16 years of age and who is incapable of attending an educational institution by reason of mental or physical incapacity, or
 - (D) is over 16 years of age, is not attending school and is, in the opinion of the Director, unemployable;

3. *The following new sections are added after section 5:*

5.1 (1) In the public interest, no employee of the Department and no employee of a municipality who is involved in the provision of social assistance shall disclose to any other person

- (a) any file, document or paper kept by any person in any place, that has come into existence through anything done under or pursuant to this Act, or
- (b) any information obtained by him in the performance of any duties under this Act,

Explanatory Notes

1. This Bill will amend chapter 345 of the Revised Statutes of Alberta 1970.

2. A definition of "dependant" is added to apply to the whole Act. At present the term is defined in section 11 of the Act for the purposes of that section only.

3. A secrecy provision is added to cover provincial and municipal welfare workers and officials. A new section is also added to enable allowance cheques to be issued by the Regional Offices.

that deals with the personal history or record of a person who has applied for or has received a social allowance under this Act, or any dependants of such a person, except by, or upon the written consent of, the Minister or a duly authorized official responsible for the administration of this Act.

(2) Subsection (1) shall not apply to a disclosure considered necessary in the administration of this Act or in the best interests of a person who has applied for or has received a social allowance, or his dependants,

- (a) to an employee of the Department or of any other department or agency of the Government,
- (b) to any official of a municipality or the Government of Canada, or an agent thereof, or
- (c) to any agency or authority charged with the responsibility of providing a social allowance to any person under this Act, or
- (d) to any person assisting the Department or acting as an agent of the Department, or
- (e) any government department, municipality or agency of another province or territory of Canada having a responsibility to provide financial assistance to persons in need, or
- (f) at a trial, hearing or proceedings under the *Criminal Code* or *The Maintenance and Recovery Act* related to any matter under this Act, or to a solicitor acting on behalf of any government, authority or agency and responsible for the institution of such a trial, hearing or proceedings, or
- (g) during the hearing of an appeal before such appeal authority as is established and acting pursuant to section 24.

(3) Any person who contravenes this section is guilty of an offence and liable upon summary conviction to a fine of not more than \$500 and in default of payment to a term of imprisonment of not more than 90 days.

5.2 The Lieutenant Governor in Council may

- (a) authorize the establishing of accounts in banks or similar institutions consisting of public money appropriated to the use of the Department,
- (b) authorize the issuing of cheques against such accounts for the payment of social allowances,
- (c) prescribe the conditions under which such cheques may be issued and the officers of the Department authorized to issue the cheques, and
- (d) regulate the manner in which such accounts are maintained and managed and prescribe any procedures for the accounting of money in such accounts.

4. Section 8, subsection (1) is amended

(a) by adding after the words “in a home of another person” the words “or in an institution”,

(b) by adding after the words “to that person” the words “or institution”.

5. Section 11 is amended by striking out subsection (1).

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

4. Section 8 (1) presently reads:

8. (1) Where the parents of a child are unable or unwilling to properly care for their child and the child is, in the opinion of the Director, being properly cared for in the home of another person, a social allowance may be issued to that person on behalf of the child.

5. A definition of "dependant" is removed. See clause 2 of this Bill.