

1981 BILL 224

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Third Session, 19th Legislature, 30 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 224**

**THE HUMAN RIGHTS COMMISSION  
INDEPENDENCE ACT**

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MR. NOTLEY

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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Bill 224  
Mr. Notley

## BILL 224

1981

### THE HUMAN RIGHTS COMMISSION INDEPENDENCE ACT

(Assented to \_\_\_\_\_, 1981)

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

1 *The Individual's Rights Protection Act is amended by this Act.*

2 *Section 12 is amended*

(a) *in subsection (1) by adding "on the recommendation of the Legislative Assembly and on such terms and conditions as are expressed in the recommendation." at the end of it, and*

(b) *by repealing subsection (2) and substituting:*

(2) The Lieutenant Governor in Council shall appoint as chairman the member of the Commission recommended as such by the Legislative Assembly.

3 *Section 13 is repealed and the following is substituted:*

**13** The Commission is responsible to the Legislature for the administration of this Act and shall, for each year, submit a report on its activities and a financial statement audited by the Auditor General, to the Speaker who shall table it in the Legislative Assembly if it is then sitting and, if it is not then sitting, within 15 days of the commencement of the next sitting.

4 *Section 16 is repealed.*

## Explanatory Notes

1 This Bill will amend chapter 2, Alberta Statutes, 1972.

2 Section 12(1) and (2) presently reads:

*12(1) There shall be a commission to be known as the "Alberta Human Rights Commission" which shall consist of such number of members as may be appointed by the Lieutenant Governor in Council.*

*(2) The Lieutenant Governor in Council may designate one of the members as chairman of the Commission.*

3 Section 13 presently reads:

*13 The Commission is responsible to the Minister for the administration of this Act.*

4 Section 16 presently reads:

*16(1) The Commission shall after the end of each year prepare and submit to the Minister a report of its activities during that year, including*

5 *Section 18 is amended*

(a) *in subsection (1) by striking out “shall report to the Minister and”*,

(b) *by repealing subsection (1.1), and*

(c) *in subsection (2) by striking out “Minister” and substituting “Lieutenant Governor in Council”*.

6 *Section 28 is amended by repealing clause (g).*

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

*a survey of all complaints and prosecutions under this Act and such other information as the Minister may require.*

*(2) When the report is received by him, the Minister shall lay a copy of it before the Legislative Assembly if it is in session and if not, within 15 days after the commencement of the next ensuing session.*

**5** Section 18 presently reads:

*18(1) If the Commission is unable to effect a settlement of the matter complained of, it shall report to the Minister and may, in its discretion, direct that a formal inquiry into the matter be held by a board of inquiry.*

*(1.1) If the Commission does not make a direction under subsection (1), the Minister may, in his discretion, direct that the inquiry be held.*

*(2) A board of inquiry under subsection (1) or (1.1) shall consist of one or more persons appointed by the Minister and he shall communicate the names of the members of the board to the persons referred to in section 20(1).*

*(3) The Lieutenant Governor in Council may determine the rate of remuneration and expenses of the chairman and members of boards of inquiry.*

**6** Removes definition of “Minister”.

**7** Coming into force.