

1983 BILL 87

First Session, 20th Legislature, 32 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 87

PUBLIC INQUIRIES AMENDMENT ACT, 1983

THE ATTORNEY GENERAL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 87

1983

PUBLIC INQUIRIES AMENDMENT ACT, 1983

(Assented to _____, 1983)

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

- 1 *The Public Inquiries Act is amended by this Act.*
- 2 *The following is added after section 8:*

9(1) If the commissioner or commissioners consider it advisable because of the distance a person resides from where his attendance is required or for any other reason, the commissioner or commissioners may appoint a person to take evidence of that person and to report it to the commissioner or commissioners.

(2) A person appointed to take evidence under subsection (1) shall, before doing so, be sworn before a justice of the peace to faithfully execute that duty.

10 Any person appearing before a commissioner or commissioners may be represented by counsel.

11 Any witness who believes his interests may be adversely affected and any person who satisfies a commissioner or commissioners that any evidence given before a commissioner or commissioners may adversely affect his interests shall be given an opportunity during the inquiry to give evidence on the matter, and at the discretion of a commissioner or commissioners, to call and examine or cross-examine witnesses personally or by his counsel in respect of the matter.

12 No report of a commissioner or commissioners that alleges misconduct by any person shall be made until reasonable notice of the allegation has been given to that person and he has had an opportunity to give evidence and, at the discretion of the commissioner or commissioners, to call and examine witnesses personally or by his counsel in respect of the matter, notwithstanding that the person may have already given evidence or may have already called and examined witnesses personally or by his counsel.

- 3 *This Act comes into force on Proclamation.*

Explanatory Notes

- 1** This Bill will amend chapter P-29 of the Revised Statutes of Alberta 1980.
- 2** Commissioned evidence; right to counsel and right to call and cross-examine witnesses; allegations of misconduct.