

1985 BILL 247

Third Session, 20th Legislature, 34 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 247

CHILDREN'S RIGHTS ACT

MR. MARTIN

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 247
Mr. Martin

BILL 247

1985

CHILDREN'S RIGHTS ACT

(Assented to , 1985)

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

Definitions

1 In this Act,

- (a) "child" means an individual under the age of 18 years;
- (b) "parent" means the parent or guardian of a child.

Children's rights

2 Every child has:

- (a) the right to food, clothing and housing in order to ensure good health and personal development;
- (b) the right to an environment free from physical abuse, exploitation and degrading treatment;
- (c) the right to health care necessary to promote physical and mental health and to remedy illness;
- (d) the right to reside with parents and siblings except where it is in the best interests of the child and family members for the child to reside elsewhere;
- (e) the right to parental and adult support, guidance and continuity in the child's life;

- (f) the right to an education that ensures every child the opportunity to reach and exercise his full potential;
- (g) the right to play and recreation;
- (h) the right to be consulted in decisions related to guardianship, custody and a determination of status;
- (i) the right to independent adult counselling and legal assistance in relation to all decisions affecting guardianship, custody or a determination of status;
- (j) the right to a competent interpreter where language or other communication disability is a barrier in relation to any decision affecting guardianship, custody or a determination of status;
- (k) the right to an explanation of all decisions affecting guardianship, custody or a determination of status; and
- (l) the right to be informed of the rights of children and to have them applied and enforced.

Offences and penalties

3 Every person who, without lawful authority, deprives or denies any child of any right enumerated in section 2 is guilty of an offence and liable on summary conviction to a fine of up to \$10 000 and to imprisonment for not more than 2 years or to both fine and imprisonment.

Right to bring action

4 A child or his legal representative may commence an action by statement of claim in the Court of Queen's Bench against any person who, without lawful authority, denies or removes from the child any of the rights enumerated in section 2 and the court may award damages or make any order it deems fit or both.

Binds Crown

5 The Crown is bound by this Act.

In accordance with section 4(1) of the Interpretation Act, this Bill comes into force on the date it receives Royal Assent.