

1990 BILL 28

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Second Session, 22nd Legislature, 39 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 28

VICTIMS' PROGRAMS ASSISTANCE ACT

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THE SOLICITOR GENERAL

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 28*

## **BILL 28**

1990

### **VICTIMS' PROGRAMS ASSISTANCE ACT**

*(Assented to , 1990)*

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

Definitions

**1** In this Act,

- (a) "Committee" means the Victims' Programs Assistance Committee;
- (b) "Fund" means the Victims' Programs Assistance Fund;
- (c) "offence" means an offence referred to in section 727.9 of the *Criminal Code* (Canada);
- (d) "victim" means a person who, in the opinion of the Committee, is detrimentally affected directly or indirectly by the commission of an offence.

Fund

**2(1)** There is hereby established a fund called the “Victims’ Programs Assistance Fund” into which shall be deposited the following:

(a) any money from victim fine surcharges imposed in Alberta under section 727.9 of the *Criminal Code* (Canada) directed to be paid into the Fund by the Lieutenant Governor in Council;

(b) money received from a person or organization for the purpose of assisting victims;

(c) any money payable to the Crown in right of Alberta under an agreement with the Crown in right of Canada respecting assistance to victims that is approved by the Solicitor General for deposit in the Fund;

(d) any money required to be paid into the Fund under this or any other Act.

(2) The Provincial Treasurer shall hold and administer the Fund.

(3) The income of the Fund accrues to and forms part of the Fund.

(4) The Provincial Treasurer may be designated as a depositor in a Consolidated Cash Investment Trust Fund on behalf of the Fund.

Committee

**3(1)** The Victims’ Programs Assistance Committee is established consisting of no fewer than 3 or more than 9 persons appointed as members by the Solicitor General.

(2) The Solicitor General shall designate one of the members of the Committee to chair the Committee.

(3) Members of the Committee who are not officers or employees of the government of Alberta or Canada or of any agency of the government of Alberta or Canada may be paid remuneration and may receive reasonable travelling and living expenses while away from their ordinary places of residence in the course of their duties as members of the Committee at rates prescribed by the Solicitor General.

Duties of the Committee

**4** The Committee

(a) shall receive and evaluate applications for grants from the Fund and may recommend to the Solicitor General that the grants be paid if, in the opinion of the Committee, the grants will benefit victims,

(b) may of its own volition or shall if directed to do so by the Solicitor General inquire into, assess and evaluate programs and services that may benefit victims, and

(c) shall provide information with respect to programs and services that benefit victims in any way the Committee considers desirable.

Grants

**5(1)** The Solicitor General may pay a grant to an applicant

(a) if the Solicitor General is of the opinion that the grant should be paid,

(b) if the Solicitor General is of the opinion that the application complies with the regulations, and

(c) if the Committee recommends that the grant be paid.

(2) The Solicitor General shall not make a grant of money directly to a victim.

Payment from Fund

**6** The following may be paid out of the Fund:

(a) money authorized to be paid by the Solicitor General as grants under section 5;

(b) costs incurred by the Committee in carrying out its duties under section 4;

(c) remuneration and expenses payable to members of the Committee or to persons whose services are engaged by the Solicitor General under section 8;

(d) salaries, benefits and other expenditures required to be paid in respect of administrators and other employees provided under section 9 in an amount determined by the Solicitor General as being payable to the General Revenue Fund and at the time specified by the Solicitor General;

(e) any other costs incurred by the Committee that are approved by the Solicitor General.

Rules and budget

**7(1)** The chair of the Committee may make rules respecting the calling and conduct of Committee meetings.

(2) The Committee shall prepare a budget in respect of the Fund for each fiscal year in a form approved by the Solicitor General and shall provide the Solicitor General with it in the manner and at the time required by the Solicitor General.

Services of experts	<p><b>8(1)</b> The Solicitor General may engage the services of persons having special, technical or other knowledge to advise the Committee or to inquire into or assess and evaluate programs and services that may benefit victims.</p> <p>(2) The Committee shall send a copy of any report it receives from a person whose services are engaged under subsection (1) to the Solicitor General.</p> <p>(3) A person whose services are engaged under subsection (1) may be paid the remuneration and expenses prescribed by the Solicitor General.</p>
Administrative services	<p><b>9</b> The Solicitor General may provide the Committee with the services of administrators and other employees of the Government under his administration to carry out work required by the Committee.</p>
Regulations	<p><b>10(1)</b> The Solicitor General may make regulations</p> <ul style="list-style-type: none"> <li>(a) restricting or regulating the exercise of the powers of the Committee;</li> <li>(b) respecting applications for grants;</li> <li>(c) respecting the conditions on which a grant is made and requiring the repayment of the grant to the Fund if the conditions are not met;</li> <li>(d) requiring a recipient of a grant to account for the way in which the grant is spent in whole or in part.</li> </ul> <p>(2) A regulation made under this section may be specific or general in its application.</p>
Report	<p><b>11(1)</b> The Committee shall, after the end of each fiscal year, prepare and submit to the Solicitor General a report respecting the operation of the Fund during the fiscal year just ended that includes the information required under section 77 of the <i>Financial Administration Act</i>.</p> <p>(2) The Solicitor General shall lay a copy of the report prepared under subsection (1) before the Legislative Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next ensuing sitting.</p>
Coming into force	<p><b>12</b> <i>This Act comes into force on Proclamation.</i></p>