

1991 BILL 241

Third Session, 22nd Legislature, 40 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 241

INDIVIDUALS' RIGHTS PROTECTION AMENDMENT ACT

MS LAING

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 241
Ms Laing

BILL 241

1991

INDIVIDUALS' RIGHTS PROTECTION AMENDMENT ACT

(Assented to , 1991)

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

1 The Individuals' Rights Protection Act is amended by this Act.

2 In the following provisions, the words "marital status, sexual orientation, political beliefs, family status, source or level of income, conviction of an offence for which a pardon has been granted", are added before the words "ancestry or place of origin" wherever they occur:

preamble;
subsection 2(1);
section 3;
section 4;
subsection 16(1).

3 Section 4 is amended by striking out the work "self-contained" wherever it occurs.

4 The following is added after Section 5:

5.1 Section 5 does not apply to

- (a) buildings customarily open to the public,
- (b) areas designed for public use which are adjacent to such buildings, or
- (c) multiple-unit dwellings, including those of less than

Explanatory Notes

1 This Bill will amend chapter I-2 of the Revised Statutes of Alberta, 1980 to expand the prohibited grounds of discrimination; to make the Human Rights Commission subject to the control of a Select Standing Committee of the Legislative Assembly; to allow the Commission to initiate investigations; and to constitute certain violations of the Act as offences punishable by fine.

four stories, for which construction permits are issued after the proclamation of this Act.

5 In the following provisions, the words "sexual orientation, political beliefs, family status, source or level of income, conviction of an offence for which a pardon has been granted," are added before the words "ancestry or place of origin" wherever they occur:

section 7;
subsection 8(1);
section 10.

6 The heading "Alberta Human Rights Commission" preceding section 14 is repealed and the heading "Alberta Human Rights Commission and Select Committee" is substituted.

7 The following is added immediately before section 14:

13.1(1) There is hereby established a select standing committee of the Legislative Assembly called the "Select Standing Committee on Human Rights" consisting of 1 member of the Assembly from each political party represented in the Assembly,

(2) The members of the Select Committee shall be appointed at the commencement of each session in the same way that members are appointed to other select standing committees of the Assembly.

(3) the member representing the governing party is the Chairman of the Select Committee.

8 The words "the Lieutenant Governor in Council" are struck out wherever it occurs and "the Select Committee" is substituted in the following sections:

section 14;
section 15;
section 18;
section 27.

9 Section 19 is amended

(a) in subsection (1) by striking out "except" and substituting "including", and

(b) in subsection (1), after "regulations" by adding "and, without limiting the generality of the foregoing,

(i) the Commission, when it believes a contravention of this Act may have occurred which has not been the subject of a complaint, may upon its own initiative make a complaint on behalf of a person or group of persons, and

(ii) the Commission, when it receives several complaints about the same situation, may proceed with a group investigation on behalf of the complaints."

(c) in subsection (2) by striking out "6" and substituting "12".

10 Section 22 is amended

(a) in subsection (3)(b) by adding "or" after "examination", and

(b) in subsection (3) by striking out "or both".

11 The following is added after section 26:

26.1 A person who fails to comply with section 26 or a demand under section 21(b) or who refuses or fails to permit a removal under section 21(c) is guilty of an offence and is liable to a fine of not more than \$2,000.

12 Section 31 is amended by adding the following after subsection 2:

(3) This section does not affect any right or remedy which a complainant has at law or in equity.

13 Subsection 38(1) is amended

(a) in clause (i) by adding "or sensory" after "physical" wherever it occurs, and

(b) by adding the following after clause (i):

(i.1) "political beliefs" includes political activity or association and membership in a registered political party,

(i.2) "Select Committee" means the Select Standing Committee on Human Rights established by section 13.1,

(i.3) "sexual orientation" means heterosexuality, bisexuality or homosexuality.

14 This Act comes into force on Proclamation.

