

1996 BILL 220

Fourth Session, 23rd Legislature, 45 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 220

PROVINCIAL COURT AMENDMENT ACT, 1996

MRS. FORSYTH

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 220
Mrs. Forsyth

BILL 220

1996

PROVINCIAL COURT AMENDMENT ACT, 1996

(Assented to , 1996)

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

1 The Provincial Court Act is amended by this Act.

2 The following is added after section 32:

32.1(1) In this section,

(a) "child" means a person under the age of 16 years;

(b) "grandparent" means a grandparent of a child whether
related to the child by blood, marriage or adoption.

(2) If a grandparent at any time is refused access to a child, the
Court may on application make an order as it sees fit regarding
the grandparent's right of access to the child.

(3) The application for an order under this section may be made

(a) by a grandparent of the child, or

(b) by the child, who may apply with or without any
person interested on the child's behalf.

Explanatory Notes

- 1** Amends chapter P-20 of the Revised Statutes of Alberta, 1980.

(4) In making an order under this section, the Court shall take into consideration only the best interests of the child as determined by reference to the needs and other circumstances of the child including

(a) the nature and extent of the child's past association with the grandparent, and

(b) the child's views and wishes, if they can be reasonably ascertained.

(5) The entitlement to access to a child under this section includes the right to visit and be visited by the child and the same right as a parent to make inquiries and to be given information as to the health, education and welfare of the child.

(6) Unless otherwise ordered by the Court, all costs reasonably related to access visits granted to a grandparent under this section shall be borne by the grandparent.

(7) Section 32(3), (4), (6), (7) and (9) apply to an application made under this section.

(8) Any person who contravenes a provision as to right of access in an order made under this section is guilty of an offence and liable to a fine of not more than \$1000 or to imprisonment for a term not exceeding 4 months.

3 This Act comes into force on Proclamation.

