

1997 BILL 204

First Session, 24th Legislature, 46 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 204

PROVINCIAL COURT AMENDMENT ACT, 1997

MRS. FORSYTH

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 204
Mrs. Forsyth

BILL 204

1997

PROVINCIAL COURT AMENDMENT ACT, 1997

(Assented to , 1997)

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

Amends RSA
1980 cP-20

1 The *Provincial Court Act* is amended by this Act.

2 The following is added after section 32:

Access Orders

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 his behalf.

Explanatory Notes

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

(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) 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.

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

(7) 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.

3 Coming into force.