

2001 BILL 19

First Session, 25th Legislature, 50 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 19

**MISCELLANEOUS STATUTES
AMENDMENT ACT, 2001**

THE MINISTER OF JUSTICE
AND ATTORNEY GENERAL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 19

BILL 19

2001

MISCELLANEOUS STATUTES AMENDMENT ACT, 2001

(Assented to _____, 2001)

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

Alberta Health Care Insurance Act

Amends RSA
1980 cA-24

1(1) The *Alberta Health Care Insurance Act* is amended in section 1(a.1)(ii) and (n)(ii) by adding “and maxillofacial” after “oral”.

Explanatory Notes

Alberta Health Care Insurance Act

1(1) Amends chapter A-24 of the Revised Statutes of Alberta 1980. Section 1(a.1) and (n) presently read:

(a.1) “basic health services” means

- (i) insured services,*
- (ii) those services that are provided by a dentist in the field of oral surgery and are specified in the regulations but are not within the definition of insured services,*
- (iii) optometric services,*
- (iv) chiropractic services,*
- (v) services and appliances provided by a podiatrist,*
- (vii) services classified as basic health services by the regulations;*

(n) “insured services” means

- (i) all services provided by physicians that are medically required,*
- (ii) those services that are provided by a dentist in the field of oral surgery and are specified in the regulations, and*

(2) The *Health Care Protection Act* is amended in section 29(i) by adding “and maxillofacial” after “oral”.

Animal Protection Act

Amends SA
1988 cA-42.1

2 The *Animal Protection Act* is amended in section 12(2) by striking out “the animal” and substituting “an animal”.

Engineering, Geological and Geophysical Professions Act

Amends SA
1981 cE-11.1

3 The *Engineering, Geological and Geophysical Professions Act* is amended in section 15(1)(a) by striking out “, one of whom must be a member of the Council,”.

Legislative Assembly Act

Amends SA
1983 cL-10.1

4(1) The *Legislative Assembly Act* is amended by this section.

(2) Section 44 is repealed and the following is substituted:

Long term
disability plan

44(1) The Members’ Services Committee may by order, on such terms and conditions as the Committee determines, establish or authorize participation of the following in a long term disability plan for the payment of disability benefits:

(iii) *any other services that are declared to be insured services pursuant to section 2,*

but does not include any services that a person is eligible for and entitled to under any Act of the Parliament of Canada or under the Workers' Compensation Act or any law of any jurisdiction outside Alberta relating to workers' compensation;

(2) Consequential amendment.

Animal Protection Act

2 Amends chapter A-42.1 of the Statutes of Alberta, 1988. Section 12(2) presently reads:

(2) If the owner of an animal is found guilty of an offence under section 2, the Court may make an order restraining the owner from continuing to have custody of the animal for a period of time specified by the Court.

Engineering, Geological and Geophysical Professions Act

3 Amends chapter E-11.1 of the Statutes of Alberta, 1981. Section 15(1)(a) presently reads:

15(1) There is hereby established a board called the Practice Review Board consisting of not less than 5 members as follows:

(a) the Council shall appoint not less than 4 professional members, one of whom must be a member of the Council, who have a combination of knowledge and experience suitable for determining the academic qualifications and experience necessary for a person to continue to engage in the practice of the profession of engineering, geology or geophysics;

Legislative Assembly Act

4(1) Amends chapter L-10.1 of the Statutes of Alberta, 1983.

(2) Section 44 presently reads:

44(1) In this section "disability benefits" means payments made pursuant to the regulations under this section.

(2) The Lieutenant Governor in Council may make regulations

(a) authorizing the payment by the Provincial Treasurer of disability benefits to persons who become mentally or

- (a) a Member of the Legislative Assembly;
- (b) the Speaker, the Deputy Speaker or the Deputy Chairman;
- (c) the Leader of Her Majesty's loyal opposition;
- (d) a member of the Executive Council;
- (e) the leader of a recognized opposition party within the meaning of section 48.

(2) If an order is made under this section, the chairman of the Members' Services Committee shall lay a copy of the order before the Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

(3) Section 45(1)(b) is amended by striking out "section 44 or".

(4) The *Members of the Legislative Assembly Pension Plan Act* is amended in section 1(1)(g) of Schedule 1 by striking out "regulations" and substituting "a plan established or authorized".

(5) This section comes into force on Proclamation.

physically disabled while holding any of the following offices:

- (i) a Member of the Legislative Assembly,*
 - (ii) the Speaker, the Deputy Speaker or the Deputy Chairman,*
 - (iii) the Leader of Her Majesty's loyal opposition, or*
 - (iv) a member of the Executive Council;*
- (b) subject to subsection (3), prescribing the amounts payable as disability benefits or the methods to be used to calculate disability benefits;*
 - (c) prescribing the conditions that must be met before disability benefits are payable in any case;*
 - (d) prescribing the circumstances under which disability benefits are to be reduced or are no longer to be paid;*
 - (e) prescribing the procedure for determining any question arising as to whether disability benefits are payable or the amount of the benefit payable and for reviewing any decision regarding eligibility for benefits or the amount of any benefit.*

(3) Regulations made pursuant to this section shall be substantially the same, as far as is practical, as regulations that relate to long term disability income continuance made pursuant to the Public Service Act.

(3) Section 45(1)(b) presently reads:

45(1) The Members' Services Committee may by order authorize, on such conditions as the Committee determines,

- (b) notwithstanding section 44 or 50(3), the participation of Members in group insurance plans or group plans for the prepayment of the cost of services, and the payment by the Crown of all or part of the premiums or subscriptions under those plans;*

(4) Amends chapter M-12.5 of the Statutes of Alberta, 1984. Schedule 1, section 1(1)(g) presently reads:

1(1) In this Schedule,

- (g) "disability plan" means regulations under section 44 of the Legislative Assembly Act;*

(5) Coming into force.

**Professional and Occupational
Associations Registration Act**

Amends SA
1985 cP-18.5

5 The *Professional and Occupational Associations Registration Act* is amended in section 14(1) by adding the following after clause (k):

- (l) prescribing the professional or occupational title and abbreviations of that title designated in an order under section 9(1)(b) that a member of a registered association may use to indicate membership in the registered association.

**Protection of Children Involved
in Prostitution Act**

Amends SA
1998 cP-19.3

6(1) The *Protection of Children Involved in Prostitution Act* is amended by this section.

(2) Section 2(1) is amended by striking out “police officer of director” and substituting “police officer or director”.

Professional and Occupational Associations Registration Act

5 Amends chapter P-18.5 of the Statutes of Alberta, 1985. Section 14(1) presently reads in part:

14(1) The governing body of a registered association may make regulations

Protection of Children Involved in Prostitution Act

6(1) Amends chapter P-19.3 of the Statutes of Alberta, 1998.

(2) Section 2(1) presently reads:

2(1) If a police officer or director believes on reasonable and probable grounds that a person is a child and is in need of protection, the police officer or director may apply to a judge of the Court or to a justice of the peace for an order, and the Court may grant an order,

(a) authorizing the police officer or director to apprehend and convey the child to the child's guardian or to an adult who in the opinion of the police officer or director is a responsible adult who has care and control of the child, or

(b) authorizing the police officer or director to apprehend and convey the child to a protective safe house and authorizing a director to confine the child for up to 5 days to ensure the safety of the child and to assess the child,

and if the judge of the Court or justice of the peace is satisfied that the child may be found in a place or premises, the judge of the Court or justice of the peace may, by order, authorize the police officer or director to enter, by force if necessary, that place or premises to search for and apprehend the child.

(3) Section 3.2(1) is amended by striking out “director,” and substituting “director or a guardian of the child.”

(3) Section 3.2(1) presently reads:

3.2(1) A child with respect to whom an order to confine has been made, or a director, may apply to the Court by completing and filing a notice for review form provided for in the regulations for a review of the Court order to confine under section 3.