

BILL 31

2002

SECURITY MANAGEMENT STATUTES AMENDMENT ACT, 2002

(Assented to _____, 2002)

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

Alberta Energy and Utilities Board Act

Amends RSA 2000 cA-17

**1(1) The *Alberta Energy and Utilities Board Act* is amended
by this section.**

(2) The following is added after section 29:

Regulations regarding security

30(1) In this section, “terrorist activity” means terrorist activity
within the meaning of the *Criminal Code* (Canada).

(2) For the purposes of addressing security in respect of
terrorist activity or the threat of terrorist activity the Board may
make regulations

- (a) respecting the shutting down of a well, facility, pipeline,
hydro development, power plant, transmission line or
electric distribution system;
- (b) respecting security measures to be taken in respect of a
well, facility, pipeline, hydro development, power plant,
transmission line or electric distribution system;
- (c) respecting access to information filed with the Board in
respect of a well, facility, pipeline, hydro development,

power plant, transmission line or electric distribution system.

(3) A regulation made under subsection (2) is of no force or effect unless it is approved by the Lieutenant Governor in Council.

(4) A regulation made under subsection (2)(c) prevails despite the *Freedom of Information and Protection of Privacy Act*.

Change of Name Act

Amends RSA 2000 cC-7

2(1) The *Change of Name Act* is amended by this section.

(2) Section 16(2) is amended by striking out “and” at the end of clause (c) and by adding the following after clause (c):

(c.1) unless the Director considers it to be unnecessary in the particular circumstances, a criminal record check from a law enforcement agency acceptable to the Director, where the application relates to a person who is 18 years of age or older, and

(3) Section 25(2) is amended by striking out “\$500” and substituting “\$50 000”.

(4) This section comes into force on Proclamation.

Charitable Fund-raising Act

Amends RSA 2000 cC-9

3(1) The *Charitable Fund-raising Act* is amended by this section.

(2) Section 15(2) is amended by striking out “or” at the end of clause (b) and by adding the following after clause (b):

(b.1) is named in a certificate signed under the *Charities Registration (Security Information) Act* (Canada), or

(3) Section 23(2) is amended by striking out “or” at the end of clause (b) and by adding the following after clause (b):

(b.1) is named in a certificate signed under the *Charities Registration (Security Information) Act* (Canada), or

(4) Section 46(2) is amended by striking out “or” at the end of clause (c) and by adding the following after clause (c):

(c.1) is named in a certificate signed under the *Charities Registration (Security Information) Act* (Canada), or

(5) The following is added after section 57:

Protection from liability

57.1 No action for damages may be commenced against the Minister, an inspector or any person under the administration of the Minister for anything done or not done by that person in good faith while carrying out duties or exercising powers under this Act.

**Dangerous Goods Transportation
and Handling Act**

Amends RSA 2000 cD-4

4(1) The *Dangerous Goods Transportation and Handling Act* is amended by this section.

(2) Section 1 is amended by adding the following after clause (s):

(s.1) “terrorist activity” means terrorist activity within the meaning of the *Criminal Code* (Canada);

(3) Section 31(1) is amended by adding the following after clause (u):

(u.1) authorizing the Minister to require persons engaged in handling, offering for transportation or transporting dangerous goods to take measures to secure their operations against the threat of terrorist activity, including without limitation the filing with the Minister of plans to ensure the security of their operations;

Disaster Services Act

Amends RSA 2000 cD-13

5(1) The *Disaster Services Act* is amended by this section.

(2) Section 1(f) is amended by striking out “a present or imminent event” and substituting “an event”.

(3) Section 6(e) is amended by adding “, whether independently or as a result of some other event,” after “persons or property”.

(4) Section 10(1)(d) is amended by adding “, whether independently or as a result of some other event,” after “persons or property”.

(5) The following is added after section 17:

Confidentiality

17.1(1) Terms used in this section have the same meaning as is assigned to them in the *Freedom of Information and Protection of Privacy Act*.

(2) The *Freedom of Information and Protection of Privacy Act* does not apply in respect of information in a record that is in the possession of a public body where the information

- (a) is used or to be used for the purpose of preparing or administering a crisis management plan under a regulation under this Act, or
- (b) forms part of a crisis management plan under a regulation under this Act.

(6) The following is added after section 23:

Notice provisions do not apply

23.1 Where the sole purpose of a meeting of a local authority is to pass a resolution referred to in section 21(1) or 23(1), the notice requirements in sections 194 to 196 of the *Municipal Government Act* do not apply.

Electric Utilities Act

Amends RSA 2000 cE-5

6(1) The *Electric Utilities Act* is amended by this section.

(2) The following is added after section 8:

Measures re security

8.1(1) In this section, “terrorist activity” means terrorist activity within the meaning of the *Criminal Code* (Canada).

(2) The Power Pool Council may develop plans and implement measures for the purposes of ensuring that the Power Pool Council and the persons referred to in section 9(1)(b) and (c) are able to carry out their powers and duties under this Act in a manner that is secure against the threat of terrorist activity.

Freedom of Information and Protection of Privacy Act

Amends RSA 2000 cF-25

7(1) The *Freedom of Information and Protection of Privacy Act* is amended by this section.

(2) Section 20(1) is amended

(a) in clause (b) by striking out “or harm the detection, prevention or suppression of espionage, sabotage or terrorism”;

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

(b.1) disclose activities suspected of constituting threats to the security of Canada within the meaning of the *Canadian Security Intelligence Service Act* (Canada),

Government Organization Act

Amends RSA 2000 cG-10

8(1) The *Government Organization Act* is amended by this section.

(2) The following is added after section 9:

Information sharing to combat terrorism

9.1(1) In this section, “terrorist activity” means terrorist activity within the meaning of the *Criminal Code* (Canada).

(2) A Minister may share with

- (a) the government of a foreign jurisdiction, the Government of Canada or the government of any province or territory, or a department, agency, board or commission of such a government,
- (b) another department of the Government of Alberta, or an agency, board or commission of the Government of Alberta, or
- (c) a police service in or outside Canada

information that is relevant for the purpose of combating terrorist activity.

(3) A government, department, agency, board, commission or police service that receives information referred to in subsection (2) may use the information only for the purposes for which it was provided and may not release any of that information without the consent of the appropriate Minister.

(3) Schedule 5 is amended by repealing section 3(1)(a) and substituting the following:

- (a) that circumstances exist whereby the environment in any part of Alberta has been, is being or is likely to be destroyed, damaged or polluted, and

Judicature Act

Amends RSA 2000 cJ-2

9(1) The *Judicature Act* is amended by this section.

(2) Section 49(f) is repealed and the following is substituted:

- (f) “weapon” means any substance or thing that in the opinion of a security officer could be used to threaten or harm any person or cause damage to property and includes, without limitation, a firearm, a cross-bow, a prohibited weapon, a restricted weapon, a prohibited device, ammunition, prohibited ammunition and an explosive device, within the meaning of the *Criminal Code* (Canada).

(3) Section 51(1) is repealed and the following is substituted:

Identity checks and weapon screening

51(1) Before a person enters a courtroom or courthouse a security officer may

- (a) require the person to satisfy the security officer as to the person’s identity, and
- (b) screen the person for weapons.

Motor Vehicle Administration Act

Amends RSA 2000 cM-23

10(1) The *Motor Vehicle Administration Act* is amended by this section.

(2) Section 59(2) is amended by adding the following after clause (d):

- (d.1) without limiting the generality of section 6(1), respecting the particulars to be provided and other measures to be adopted to identify the applicant for an operator's licence and to enable subsequent identification of the licensee and determination of whether the person in possession of such a licence is the licensee or not;

Provincial Parks Act

Amends RSA 2000 cP-35

- 11(1) The *Provincial Parks Act* is amended by this section.**
- (2) Section 13 is amended**

- (a) in subsection (1) by adding the following after clause (a):**

- (a.1) prohibit or restrict access to or travel in a park or recreation area, or a part of a park or recreation area, indicated in the order for the period or until the time specified in the order;

- (b) by adding the following after subsection (1):**

- (1.1)** In the case of restrictions under subsection (1)(a.1), the Minister shall specify in the order what the restrictions are.

- (1.2)** A person who contravenes an order made under this section contravenes this Act.

- (c) in subsection (2) by adding "or (a.1)" after "subsection (1)(a)".**

Public Health Act

Amends RSA 2000 cP-37

- 12(1) The *Public Health Act* is amended by this section.**
- (2) Section 1 is amended by adding the following after clause (hh):**

- (hh.1) "public health emergency" means an occurrence or threat of

- (i) an illness,
- (ii) a health condition,
- (iii) an epidemic or pandemic disease,
- (iv) a novel or highly infectious agent or biological toxin,
or
- (v) the presence of a chemical agent or radioactive
material

that poses a significant risk to the public health;

(3) The following is added after section 15:

Order making Act applicable

15.1(1) Notwithstanding anything in this Act, the Minister may, on the advice of the Chief Medical Officer, by order, make any provision of this Act or the regulations applicable in respect of a particular disease if the Minister is satisfied that the disease presents a serious threat to public health.

(2) The *Regulations Act* does not apply in respect of an order referred to in subsection (1).

(4) The heading preceding section 19 is amended by adding “and Public Health Emergencies” after “Diseases”.

(5) The following is added after section 19:

Information respecting public health emergency

19.1(1) Where a medical officer of health

- (a) knows of or has reason to suspect the existence of, or the threat of the existence of, a public health emergency, and
- (b) has reason to believe that a person has information relevant to the public health emergency that will assist the medical officer of health in carrying out duties and exercising powers under section 29 in respect of the public health emergency,

the medical officer of health or an executive officer or community health nurse designated for that purpose by the medical officer of health may, by notice in writing, require the person who has the information to provide the information that

is specified in the notice to the medical officer of health, executive officer or community health nurse.

(2) A person who receives a notice referred to in subsection (1) shall comply with it.

(6) Sections 26 and 27 are repealed and the following is substituted:

Notification of epidemics and other threats

26 A physician, a health practitioner, a teacher or a person in charge of an institution who knows of or has reason to suspect the existence of

- (a) a communicable disease in epidemic form,
- (b) another illness or health condition occurring at an unusually high rate, or
- (c) a communicable disease or another illness or health condition that is caused by a nuisance or other threat to the public health

shall immediately notify the medical officer of health of the regional health authority by the fastest means possible.

Duty to notify Chief Medical Officer

27(1) Where a medical officer of health receives

- (a) notification under section 26(a), or
- (b) notification of a communicable disease that is designated in the regulations as requiring immediate notification

the medical officer of health shall immediately notify the Chief Medical Officer by the fastest means possible.

(2) Where a medical officer of health receives a notification under section 26(b) or (c) and reasonably believes that the illness, communicable disease or health condition constitutes a significant risk to the public health, the medical officer of health shall immediately notify the Chief Medical Officer by the fastest means possible.

(7) Section 29 is amended

(a) in subsection (1) by adding “or a public health emergency” after “communicable disease”.

(b) by adding the following after subsection (2):

(2.1) Where the investigation confirms the existence of a public health emergency, the medical officer of health

- (a) has all the same powers and duties in respect of the public health emergency as he or she has under subsection (2) in the case of a communicable disease, and
- (b) may take whatever other steps are, in the medical officer of health’s opinion, necessary in order to lessen the impact of the public health emergency.

(c) in subsection (3) by adding “or of the existence of a public health emergency” after “subsection (2)(b)”;

(d) by adding the following after subsection (3):

(3.1) On being notified of the existence of a public health emergency under subsection (3) the Chief Medical Officer shall forthwith notify the Minister.

(e) by repealing subsection (4) and substituting the following:

(4) The jurisdiction of a medical officer of health extends to any person who is known or suspected to be

- (a) infected with a communicable disease, illness or health condition,
- (b) a carrier,
- (c) a contact,
- (d) susceptible to and at risk of contact with a communicable disease, illness or health condition, or
- (e) exposed to a chemical agent or radioactive material,

whether or not that person resides within the boundaries of the health region.

(8) Section 38(1) is amended

- (a) by adding** “or that a public health emergency exists” **after** “epidemic”;
- (b) in clause (c) by adding** “in the case of a communicable disease,” **before** “order”.

(9) The following is added after section 52:

State of Public Health Emergency

State of public health emergency

52.1 Where, on the advice of the Chief Medical Officer, the Lieutenant Governor in Council is satisfied that

- (a) a public health emergency exists or may exist, and
- (b) prompt co-ordination of action or special regulation of persons or property is required in order to protect the public health,

the Lieutenant Governor in Council may make an order declaring a state of public health emergency relating to all or any part of Alberta.

Local state of public health emergency

52.2(1) Where, on the advice of the medical officer of health and in consultation with the Chief Medical Officer, a regional health authority is satisfied that

- (a) a public health emergency exists or may exist in the health region, and
- (b) prompt co-ordination of action or special regulation of persons or property is required in order to protect the public health,

the regional health authority may make an order declaring a local state of public health emergency relating to all or part of the health region.

(2) Where the number of members of a regional health authority who attend a meeting for the purpose of making an order under subsection (1) is less than the quorum required under the bylaws of the regional health authority, the Minister may, notwithstanding the bylaws, order that the number of

members attending constitutes a quorum for the purposes of the meeting.

Contents order

52.3 An order under section 52.1 or 52.2 must identify the nature of the public health emergency and the area to which it relates.

Publication of order

52.4 Immediately after the making of an order under section 52.1 or 52.2, the Minister or the regional health authority shall cause the details of the order to be published by any means of communication that the Minister or regional health authority considers will make the details of the order known to the majority of the population of the area to which the order relates.

Notice to Minister

52.5 A regional health authority shall, forthwith on making an order under section 52.2, provide a copy of the order to the Minister.

Powers during emergency

52.6(1) On the making of an order under section 52.1 or 52.2 and during the state of public health emergency the Minister or the regional health authority may do any or all of the following for the purpose of preventing, combating or alleviating the effects of the public health emergency and protecting the public health:

- (a) acquire or use any real or personal property;
- (b) authorize or require any qualified person to render aid of a type the person is qualified to provide;
- (c) authorize the conscription of persons needed to meet an emergency;
- (d) authorize the entry into any building or on any land, without warrant, by any person;
- (e) provide for the distribution of essential health and medical supplies and provide, maintain and co-ordinate the delivery of health services.

(2) Nothing in this section limits or abrogates the operation of any other provision in this Act or the regulations that imposes a duty or confers a power on any person.

Compensation

52.7(1) Where the Minister or a regional health authority acquires or uses real or personal property under section 52.6 or where real or personal property is damaged or destroyed due to the exercise of any powers under that section, the Minister or regional health authority shall pay reasonable compensation in respect of the acquisition, use, damage or destruction.

(2) If any dispute arises concerning the amount of compensation payable under subsection (1) the matter is to be determined by arbitration, and the *Arbitration Act* applies in such a case.

Termination of state of public health emergency

52.8(1) An order under section 52.1 lapses at the end of 30 days unless it is sooner terminated by the Lieutenant Governor in Council or is continued by a resolution of the Legislative Assembly.

(2) Where, on the advice of the Chief Medical Officer, the Lieutenant Governor in Council considers that a public health emergency no longer exists in an area in relation to which an order was made under section 52.1, the Lieutenant Governor in Council shall make an order terminating the declaration in respect of that area.

Termination of state of local public health emergency

52.81(1) The Minister may cancel an order made under section 52.2 at any time the Minister considers appropriate in the circumstances.

(2) An order under section 52.2 ceases to be of any force or effect on the making of an order under section 52.1 relating to the same area of the health region.

(3) An order under section 52.2 lapses at the end of 30 days unless

- (a) it is sooner cancelled by the Minister or terminated by the regional health authority, or

(b) it is renewed for an additional period not exceeding 30 days.

(4) Sections 52.4 and 52.5 apply to the renewal of an order under section 52.2.

(5) Where, on the advice of the medical officer of health and in consultation with the Chief Medical Officer, a regional health authority considers that a public health emergency no longer exists in an area in relation to which an order under section 52.2 was made, the regional health authority shall make an order terminating the declaration in respect of that area.

Publication

52.82 Immediately after an order is made under section 52.8(2) or 52.81(5), the Minister or regional health authority shall cause the details of the order to be published by any means of communication that the Minister or regional health authority considers will make the details of the order known to the majority of the population of the area affected by the termination order.

Regulations Act

52.83 The *Regulations Act* does not apply to an order made under section 52.1 or 52.2.

Regulations

52.9 The Lieutenant Governor in Council may make regulations respecting the exercising of powers under section 52.6.

Termination of employment prohibited

52.91 No person shall terminate the employment of any other person by reason only of that other person's having been conscripted pursuant to section 52.6.

(10) Section 53 is amended

(a) in subsection (4) by adding the following after clause (a):

(a.1) to any person where the Chief Medical Officer, regional health authority, employee or agent believes on reasonable grounds that the disclosure will avert or minimize an imminent danger to the health or safety of any person;

(b) in subsection (5) by adding the following after clause (a):

- (a.1) to any person where the Chief Medical Officer, regional health authority, employee or agent believes on reasonable grounds that the disclosure will avert or minimize an imminent danger to the health or safety of any person,

(11) Section 58 is repealed.

(12) The following is added before section 67:

Protection from liability

66.1 No action for damages may be commenced against

- (a) the Minister,
- (b) a member, employee or agent of a regional health authority,
- (c) an employee under the administration of the Minister,
- (d) the Chief Medical Officer, the Deputy Chief Medical Officer, an executive officer or a medical officer of health,
- (e) a health practitioner, or
- (f) a teacher, a person in charge of an institution or a medical director of a facility

for anything done or not done by that person in good faith while carrying out duties or exercising powers under this or any other enactment.

Public Highways Development Act

Amends RSA 2000 cP-38

13(1) The *Public Highways Development Act* is amended by this section.

(2) The following is added after section 47:

Access and travel restrictions

47.1(1) The Minister may by order close, or prohibit or restrict access to, a highway or a portion of a highway for safety or

security reasons, regardless of which highway authority has the direction, control and management of the highway.

(2) Where the Minister proposes to close, or to prohibit or restrict access to, a highway or a portion of a highway that is under the direction, control and management of a highway authority other than the Minister, the Minister shall first consult with that highway authority unless, in the Minister's opinion, prior consultation is impractical due to urgent safety or security reasons.

(3) In the case of restrictions under subsection (1), the Minister shall specify in the order what the restrictions are.

(4) A person who contravenes an order made under this section contravenes this Act.

(5) The *Regulations Act* does not apply to an order made under this section.

Railway (Alberta) Act

Amends RSA 2000 cR-4

14(1) The *Railway (Alberta) Act* is amended by this section.

(2) Section 1 is amended by adding the following after clause

(o):

(o.1) "terrorist activity" means terrorist activity within the meaning of the *Criminal Code* (Canada);

(3) Section 30 is amended by adding the following after clause

(y):

(z) respecting the measures that are to be taken by an operator of a railway to secure the railway against the threat of terrorist activity including, without limitation, the filing with the Railway Administrator of plans to ensure the security of the railway operation.

Traffic Safety Act

Amends RSA 2000 cT-6

15(1) The *Traffic Safety Act* is amended by this section.

(2) Section 64(a)(i) is amended by adding "the information to be provided with an application for," after "application for,".

Vital Statistics Act

Amends RSA 2000 cV-4

16(1) The *Vital Statistics Act* is amended by this section.

(2) Section 3(2) is amended by adding “, together with any evidence as to the birth as required by the regulations,” after “respecting the birth”.

(3) Section 4 is amended by striking out “and any other evidence that is prescribed” and substituting “, together with any evidence as to the birth as required by the regulations”.

(4) Section 30 is amended

(a) in subsection (1) by striking out “person, on applying,” and substituting “person authorized by the regulations, on applying, furnishing proof of identity as required by the regulations,”;

(b) in subsection (2)

(i) by striking out “certified copy or”;

(ii) by striking out “and payment of the prescribed fee” and substituting “that is accompanied with proof of identity as required by the regulations and the prescribed fee”;

(c) in subsection (3) by striking out “person, on applying,” and substituting “person authorized by the regulations, on applying, furnishing proof of identity as required by the regulations,”;

(d) in subsection (4) by striking out “and payment of the prescribed fee” and substituting “that is accompanied with proof of identity as required by the regulations and the prescribed fee”;

(e) in subsection (5) by striking out “person, on applying,” and substituting “person authorized by the regulations, on applying, furnishing proof of identity as required by the regulations,”;

(5) Section 41(1) is amended by striking out “\$500” and substituting “\$1000”.

(6) The following is added after section 41:

Providing false information

41.1 A person who knowingly provides false or misleading information to the Director in respect of any matter under this Act is guilty of an offence and liable to a fine of not more than \$50 000.

(7) Section 44 is amended by striking out “\$500” and substituting “\$1000”.

(8) Section 46 is amended

(a) by adding the following after clause (h):

(h.1) respecting the evidence of a birth that must be provided for the Director to register a birth;

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

(l.1) respecting persons or classes of persons who are authorized to apply for certificates of the registration of a birth, marriage or death;

(l.2) respecting the proof of identity that must be provided by a person applying for a certificate of birth, marriage or death;

(9) Subsections (4) and (8) come into force on Proclamation.

**Wilderness Areas, Ecological Reserves
and Natural Areas Act**

Amends RSA 2000 cW-9

17(1) The *Wilderness Areas, Ecological Reserves and Natural Areas Act* is amended by this section.

(2) Section 11 is repealed and the following is substituted:

Access and travel restrictions

11(1) The Minister may by order close, or prohibit or restrict access to or travel in, a wilderness area, natural area or ecological reserve indicated in the order for the period or until the time specified in the order.

(2) In the case of restrictions under subsection (1), the Minister shall specify in the order what the restrictions are.

(3) A person who contravenes an order made under this section is guilty of an offence.

(4) The *Regulations Act* does not apply to an order made under this section.

Explanatory Notes
Alberta Energy and
Utilities Board Act

1(1) Amends chapter A-17 of the Revised Statutes of Alberta 2000.

(2) Board may make regulations to deal with terrorist activity.

Change of Name Act

2(1) Amends chapter C-7 of the Revised Statutes of Alberta 2000.

(2) Section 16 presently reads in part:

16(1) Every application for a change of name under this Act shall be filed with the Director and shall be in the prescribed form.

(2) Every applicant shall file with his or her application

(a) an affidavit of bona fides in the prescribed form or to the like effect,

(b) the consent in the prescribed form or to the like effect of every person whose consent is necessary under this Act and a copy of any order made under section 14,

(c) the certificate of birth of the applicant and the certificate of birth of every person whose name may be changed as a result of the application or, if that is not available, any other documentary proof of name or identity that is acceptable to the Director, and

(d) any further documentary evidence or information required by the Director.

(3) Section 25(2) presently reads:

(2) A person who by fraud or misrepresentation obtains a change of name under this Act is guilty of an offence and liable to a fine of not

more than \$500 or to imprisonment for a term of not more than 90 days.

- (4) Coming into force.

Charitable Fund-raising Act

- 3(1)** Amends chapter C-9 of the Revised Statutes of Alberta 2000.

- (2) Section 15(2) presently reads:

(2) The Minister may refuse to register or renew the registration of a charitable organization and the Minister may impose terms and conditions on a registration when registering or renewing the registration of a charitable organization if the charitable organization or any of its principals, directors or managers, within the 5 years preceding the application for registration or renewal,

- (a) is convicted of an offence referred to in subsection (1) or is serving a sentence imposed under a conviction,*
- (b) fails to pay a fine imposed under a conviction or fails to comply with an order made in relation to a conviction, or*
- (c) is subject to an order made under the Fair Trading Act or a predecessor or successor of the Fair Trading Act, the making of which, in the Minister's opinion, indicates that the person who is subject to the order is unsuitable to deal with contributions or to make solicitations.*

- (3) Section 23(2) presently reads:

(2) The Minister may refuse to issue or renew a licence and the Minister may impose terms and conditions on a licence when issuing or renewing the licence if a fund-raising business or any of its principals, directors or managers, within the 5 years preceding the application for the licence or renewal of the licence,

- (a) is convicted of an offence referred to in subsection (1) or is serving a sentence imposed under a conviction,*
- (b) fails to pay a fine imposed under a conviction or fails to comply with an order made in relation to a conviction, or*
- (c) is subject to an order made under the Fair Trading Act or a predecessor or successor of the Fair Trading Act, the making*

of which, in the Minister's opinion, indicates that the person who is subject to the order is unsuitable to deal with contributions or to make solicitations.

(4) Section 46(2) presently reads:

(2) The Minister may suspend or cancel the registration of a charitable organization or the licence of a fund-raising business or impose terms and conditions on the registration or licence if the charitable organization or fund-raising business or any of its principals, directors or managers

- (a) has, in the Minister's opinion, contravened this Act,*
- (b) is convicted of an offence referred to in subsection (1) or is serving a sentence imposed under a conviction,*
- (c) fails to pay a fine imposed under a conviction or fails to comply with an order made in relation to a conviction, or*
- (d) is subject to an order made under the Fair Trading Act or a predecessor or successor of the Fair Trading Act, the making of which, in the Minister's opinion, indicates that the person who is subject to the order is unsuitable to deal with contributions or to make solicitations.*

(5) Protection from liability.

Dangerous Goods Transportation and Handling Act

4(1) Amends chapter D-4 of the Revised Statutes of Alberta 2000.

(2) Definition.

(3) Section 31(1)(u) presently reads:

31(1) The Lieutenant Governor in Council may make regulations generally for carrying out the purposes and provisions of this Act, including regulations

- (u) providing for the notification of persons directed or ordered to do anything under section 9, 12 or 18, for the effect, duration and appeal or review of those directions or orders of and for any other incidental matters;*

Disaster Services Act

5(1) Amends chapter D-13 of the Revised Statutes of Alberta 2000.

(2) Section 1(f) presently reads:

1 In this Act,

(f) “emergency” means a present or imminent event that requires prompt co-ordination of action or special regulation of persons or property to protect the safety, health or welfare of people or to limit damage to property;

(3) Section 6(e) presently reads:

6 The Lieutenant Governor in Council may make regulations

(e) requiring persons

(i) who are engaged or may be engaged in any operation,

(ii) who are utilizing or may be utilizing any process,

(iii) who are using any property in any manner, or

(iv) on whose real property there exists or may exist any condition,

that may be or may create a hazard to persons or property to develop plans and programs in conjunction with local authorities to remedy or alleviate the hazard and to meet any emergency that might arise from the hazard;

(4) Section 10(1)(d) presently reads:

10(1) The Minister may, by order,

(d) require a person to whom the order is directed and

(i) who is engaged or may be engaged in any operation,

(ii) who is utilizing or may be utilizing any process,

(iii) who is using any property in any manner, or

(iv) on whose real property there exists or may exist any condition,

that may be or may create a hazard to persons or property to develop plans and programs in conjunction with one or more local authorities to remedy or alleviate the hazard and to meet any emergency that might arise from the hazard.

(5) Confidentiality of crisis management information.

(6) Notice requirements under Municipal Government Act in respect of resolution for state of local emergency do not apply. Sections 21(1) and 23(1) presently read:

21(1) The local authority of a municipality may, at any time when it is satisfied that an emergency exists or may exist, by resolution or, in the case of the Minister responsible for the Municipal Government Act, the Minister responsible for the Special Areas Act or a park

superintendent of a national park, by order, make a declaration of a state of local emergency relating to all or any part of the municipality.

23(1) When, in the opinion of the local authority, an emergency no longer exists in an area of the municipality in relation to which a declaration of a state of local emergency was made, it shall by resolution or, in the case of the Minister responsible for the Municipal Government Act, the Minister responsible for the Special Areas Act or a park superintendent of a national park, by order, terminate the declaration of a state of local emergency in respect of that area.

Electric Utilities Act

6(1) Amends chapter E-5 of the Revised Statutes of Alberta 2000.

(2) Power Pool Council may take measures re security against terrorism.

Freedom of Information and Protection of Privacy Act

7(1) Amends chapter F-25 of the Revised Statutes of Alberta 2000.

(2) Section 20(1) presently reads in part:

20(1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to

- (a) harm a law enforcement matter,*
- (b) prejudice the defence of Canada or of any foreign state allied to or associated with Canada or harm the detection, prevention or suppression of espionage, sabotage or terrorism,*
- (c) harm the effectiveness of investigative techniques and procedures currently used, or likely to be used, in law enforcement,*

Government Organization Act

8(1) Amends chapter G-10 of the Revised Statutes of Alberta 2000.

(2) Minister may share information for purpose of combating terrorism.

(3) Schedule 5, section 3(1) presently reads:

3(1) On the report of the Minister

- (a) that circumstances exist whereby the environment in any part of Alberta has been or is being destroyed or damaged or is being or is likely to be polluted, and*
- (b) that urgent co-ordinated action is required for the purpose of preventing, alleviating, controlling or stopping the destruction, damage or pollution,*

the Lieutenant Governor in Council may by order declare that a state of emergency exists with respect to those circumstances for the purposes of this section.

Judicature Act

9(1) Amends chapter J-2 of the Revised Statutes of Alberta 2000.

(2) Section 49(f) presently reads:

49 In this Part,

(f) “weapon” means weapon as defined in the Criminal Code (Canada).

(3) Section 51(1) presently reads:

51(1) Where a person enters a courthouse or courtroom, a security officer may

(a) require the person to satisfy the security officer as to the person’s identity, and

(b) where the security officer is not satisfied that the person is a peace officer or a person authorized by the regulations to have possession of a weapon in a courthouse, screen the person for weapons.

Motor Vehicle Administration Act

10(1) Amends chapter M-23 of the Revised Statutes of Alberta 2000.

(2) Minister may make orders.

Provincial Parks Act

11(1) Amends chapter P-35 of the Revised Statutes of Alberta 2000.

(2) Section 13 presently reads:

13(1) The Minister may by order

(a) close all or any part of a park or recreation area for any periods the Minister considers necessary;

- (b) *zone any portion of a park or recreation area so as to regulate or confine the various uses of land resources and water within the park or recreation area;*
 - (c) *authorize the doing of any other acts, matters and things relating to the purpose and administration of this Act.*
- (2) *The Regulations Act does not apply to an order made under subsection (1)(a).*

Public Health Act

12(1) Amends chapter P-37 of the Revised Statutes of Alberta 2000.

- (2) New definition.
- (3) Minister may make Act applicable to particular diseases.
- (4) The heading presently reads:

Communicable Diseases

(5) Medical officer of health may require information respecting public health emergency.

(6) Sections 26 and 27 presently read:

26 A physician, a health practitioner, a teacher or a person in charge of an institution who knows of or has reason to suspect the existence of a communicable disease in epidemic form shall immediately notify the medical officer of health of the regional health authority by the fastest means possible.

27 Where a medical officer of health receives notification of a communicable disease that

- (a) is occurring in epidemic form, or*
- (b) is designated in the regulations as requiring immediate notification*

the medical officer of health shall immediately notify the Chief Medical Officer by the fastest means possible.

(7) Section 29 presently reads:

29(1) A medical officer of health who knows of or has reason to suspect the existence of a communicable disease within the boundaries of the health region in which the medical officer of health

has jurisdiction may initiate an investigation to determine whether any action is necessary to protect the public health.

(2) Where the investigation confirms the presence of a communicable disease, the medical officer of health

(a) shall carry out the measures that the medical officer of health is required by this Act and the regulations to carry out, and

(b) may do any or all of the following:

(i) take whatever steps the medical officer of health considers necessary

(A) to suppress the disease in those who may already have been infected with it,

(B) to protect those who have not already been exposed to the disease,

(C) to break the chain of transmission and prevent spread of the disease, and

(D) to remove the source of infection;

(ii) by order

(A) prohibit a person from attending a school,

(B) prohibit a person from engaging in the person's occupation, or

(C) prohibit a person from having contact with other persons or any class of persons

for any period and subject to any conditions that the medical officer of health considers appropriate, where the medical officer of health determines that the person's engaging in that activity could transmit an infectious agent;

(iii) issue written orders for the decontamination or destruction of any bedding, clothing or other articles that have been contaminated or that the medical officer of health reasonably suspects have been contaminated.

(3) A medical officer of health shall forthwith notify the Chief Medical Officer of any action taken under subsection (2)(b).

(4) The jurisdiction of a medical officer of health extends to any person who is known or suspected to be

(a) infected with a communicable disease,

(b) a carrier,

(c) a contact, or

(d) susceptible to and at risk of contact with a communicable disease,

whether or not that person resides within the boundaries of the health region.

(8) Section 38 presently reads:

38(1) Where the Lieutenant Governor in Council is satisfied that a communicable disease referred to in section 20(1) has become or may become epidemic, the Lieutenant Governor in Council may do any or all of the following:

(a) order the closure of any public place;

(b) subject to the Legislative Assembly Act and the Senatorial Selection Act, order the postponement of any intended election for a period not exceeding 3 months;

(c) order the immunization or re-immunization of persons who are not then immunized against the disease or who do not have sufficient other evidence of immunity to the disease.

(2) Where an election is postponed under subsection (1), the order shall name a date for holding the nominations or polling, or both of them, and nothing in the order adversely affects or invalidates anything done or the status of any person during the period of time between the date of the order and the completion of the election.

(3) Where a person refuses to be immunized pursuant to an order of the Lieutenant Governor in Council, the person shall be subject to this Part with respect to the disease concerned as if the person were proven to be infected with that disease.

(9) New provisions respecting declarations of state of public health emergency.

(10) Section 53(4) and (5) presently read:

(4) Information obtained by the Chief Medical Officer or by a regional health authority or an employee or agent on its behalf may be disclosed by the Chief Medical Officer or the regional health authority, employee or agent

(a) to any person when required by law;

(b) to the person to whom the information relates or the person's legal representative;

- (c) in statistical form if the person to whom it relates is not revealed or made identifiable;*
 - (e) to a person or body conducting an investigation or disciplinary proceedings pursuant to legislation governing a profession or occupation that is specified in the regulations when*
 - (i) the information is requested by the person or body in accordance with the procedure governing the investigation or disciplinary proceedings, and*
 - (ii) the person to whom the information relates consents to the disclosure.*
- (5) Subsection (1) does not prohibit the disclosure of information*
- (a) to any person when required by law to do so,*
 - (b) to any person with the written consent of the Minister, where in the Minister's opinion it is in the public interest that the information be disclosed to that person, or of the person to whom the information relates or the person's legal representative, or*

(c) *to any person where the disclosure is necessary in the course of the administration of this Part.*

(11) Section 58 presently reads:

58 Notwithstanding anything in this Act, where this Part requires any person to inform any person as to the existence or possible existence of a communicable disease or to provide information with respect to a communicable disease, no action lies against any person acting in accordance with that requirement unless the person does so maliciously or without reasonable grounds.

(12) Protection from liability for acts done in good faith.

Public Highways Development Act

13(1) Amends chapter P-38 of the Revised Statutes of Alberta 2000.

(2) Closure of highways.

Railway (Alberta) Act

14(1) Amends chapter R-4 of the Revised Statutes of Alberta 2000.

(2) Definition.

(3) Minister may make regulations.

Traffic Safety Act

15(1) Amends chapter T-6 of the Revised Statutes of Alberta 2000.

(2) Section 64(a)(i) presently reads:

64 The Minister may make regulations

(a) governing

(i) any matter with respect to the classification of, the application for, the issuance of, the display of, the use of, the renewal of, the transfer of, the suspension of, the cancellation of, the

reinstatement of, the term of, the expiration of and the qualifications or conditions required to be met in order to be issued or to hold a motor vehicle document;

Vital Statistics Act

16(1) Amends chapter V-4 of the Revised Statutes of Alberta 2000.

(2) Section 3(2) presently reads:

(2) Within 10 days after the birth of a child in Alberta,

(a) the mother of the child,

(b) if the mother is incapable, the father of the child,

(c) if the mother and the father are incapable, the person standing in the place of the parents of the child,

(d) if there is no person to whom clause (a), (b) or (c) applies, the person required to give notice of the birth under section 2, or

(e) if there is no person to whom clause (a), (b), (c) or (d) applies, the occupier of the premises in which the child is born, if the occupier has knowledge of the birth,

shall complete and deliver or mail a statement in the prescribed form respecting the birth to the district registrar, but the Director may accept the statement of the father although the mother is not incapable.

(3) Section 4 presently reads:

4 When a birth is not registered within one year from the day of birth, or the district registrar has referred the matter to the Director under section 3(13), if application for the registration is made by any person to the Director in the prescribed form, verified by statutory declaration and accompanied with the prescribed fee and with a statement in the prescribed form respecting the birth and any other evidence that is prescribed, the Director, if the Director is satisfied as to the truth and sufficiency of the matters stated in the application and that the application is made in good faith, shall register the birth by signing the statement and, on being signed, the statement constitutes the registration of birth.

(4) Section 30 presently reads:

30(1) Any person, on applying, furnishing information satisfactory to the Director and paying the prescribed fee, may, if the Director is satisfied that it is not to be used for an unlawful or improper purpose, obtain a certificate in the prescribed form in respect of the registration of the birth of any person, and the certificate shall contain at least the following particulars of the registration:

- (a) the name of the person;*
- (b) the date of birth;*
- (c) the place of birth;*
- (d) the sex of the person;*
- (e) the date of registration;*
- (f) the serial number of the registration.*

(2) A certified copy or photographic print of the registration of a birth or of an extract from it may be issued only

- (a) to a person who requires it to comply with the Child Welfare Act or the Parentage and Maintenance Act,*
- (b) to the person to whom the registration applies, if the person is an adult,*

- (c) *to a person who is shown on the registration as the mother or father of the person in respect of whom the registration applies,*
- (d) *to an officer of the Crown in right of Alberta who requires it for use in the discharge of the officer's official duties,*
- (e) *to a person on the authority in writing of the Minister, or*
- (f) *to a person on the order of a judge of a court,*

and only on application in the prescribed form and payment of the prescribed fee.

(3) Any person, on applying, furnishing information satisfactory to the Director and paying the prescribed fee, may, if the Director is satisfied that it is not to be used for an unlawful or improper purpose, obtain a certificate in the prescribed form in respect of the registration of a marriage, and the certificate shall contain at least the following particulars of the registration:

- (a) *the names of the parties to the marriage;*
- (b) *the date of the marriage;*
- (c) *the place at which the marriage was solemnized;*
- (d) *the date of registration;*
- (e) *the serial number of the registration.*

(4) A certified copy or photographic print of the registration of a marriage, may be issued only

- (a) *to a party to the marriage,*
- (b) *to the legal representative of a party to the marriage,*
- (c) *to a person on the authority in writing of the Minister, or*
- (d) *to a person on the order of a judge of a court,*

and only on application in the prescribed form and payment of the prescribed fee.

(5) Any person, on applying, furnishing information satisfactory to the Director and paying the prescribed fee, may, if the Director is satisfied that it is not to be used for an unlawful or improper purpose and subject to subsection (6), obtain a certificate in the prescribed form in respect of the registration of a death.

(6) No certificate issued in respect of the registration of a death shall be issued in a manner that discloses the cause of death as certified on the medical certificate, except

- (a) *to any adult next of kin, as defined in the Fatality Inquiries Act, of the deceased,*
- (b) *on the authority in writing of the Minister, or*
- (c) *on the order of a judge of a court.*

(7) A certified copy or photographic print of the registration of a death or stillbirth may be issued only

- (a) *to a person on the authority in writing of the Minister,*
- (b) *to a person on the order of a judge of a court, or*
- (c) *to a person who satisfies the Director that the person requires it to accompany an application to disinter a body made under this Act,*

and only on application in the prescribed form and payment of the prescribed fee.

(8) Notwithstanding subsections (2), (4), (6) and (7), a certified copy, photographic print or certificate, as the case may be, of the registration may be issued to any person if

- (a) *in the case of subsection (2), 100 years has elapsed since the date of the birth,*
- (b) *in the case of subsection (4), 75 years has elapsed since the date of the marriage, and*
- (c) *in the case of subsections (6) and (7), 50 years has elapsed since the date of the death or stillbirth, as the case may be.*

(9) Any person, on applying in the prescribed form and paying the prescribed fee, may, with the approval of the Director and subject to the same limitations as those respecting certified copies and photographic prints set out in subsections (2), (4) and (7), obtain a certificate in the prescribed form in respect of the record of a baptism, marriage or burial filed under section 20.

(10) In respect of the issuance of the certificates, certified copies and photographic prints, or any of them, mentioned in subsections (2), (4), (6), (7) and (9), the Minister may in writing dispense with the authority required from the Minister by those subsections or may so dispense with that authority in cases and circumstances specified by the Minister.

(11) No certificate, certified copy or photographic print shall be issued under this Act in respect of the registration of an adoption or change of name.

(5) Section 41(1) presently reads:

41(1) A person who fails to give any notice, or to furnish any statement, certificate or particulars required pursuant to this Act, within the time

limited by this Act, is guilty of an offence and liable to a fine not exceeding \$500.

(6) Offence of providing false or misleading information.

(7) Section 44 presently reads:

44 A person who contravenes any provision of this Act or the regulations, for which contravention no penalty is otherwise provided, is guilty of an offence and liable to a fine not exceeding \$500.

(8) Section 46 presently reads:

46 The Minister may make regulations

- (a) prescribing the duties of the Director;*
- (b) prescribing the duties of and records to be kept by the district registrars;*
- (c) prescribing the information and returns to be furnished to the Director, and fixing the times when information and returns are to be transmitted;*
- (d) fixing the times when district registrars are to forward registrations to the Director;*
- (e) respecting the imposition of fees and prescribing the amount of the fees for anything done or permitted to be done under this Act or the regulations;*
- (f) providing for the exemption from or waiver of payment of any fees imposed under this Act or the regulations;*
 - (g) respecting the completion, distribution and retention of medical certificates and interim medical certificates;*
 - (h) designating the persons who may sign registrations and notations;*
 - (i) prescribing the evidence on which the Director may register a birth, stillbirth, marriage or death after one year from the date of it;*
 - (j) prescribing the evidence on which the Director may make a registration of birth in the case of a child legitimated by the intermarriage of the child's parents, subsequent to the child's birth;*

- (k) *requiring persons in charge of hospitals to make returns of the births and deaths in the hospitals;*
- (l) *respecting forms for the purposes of this Act and the regulations;*
- (m) *for the purpose of effectively securing the due observance of this Act, and generally for the better carrying out of its provisions and obtaining the information required by it.*

(9) Coming into force.

**Wilderness Areas, Ecological Reserves
and Natural Areas Act**

17(1) Amends chapter W-9 of the Revised Statutes of Alberta 2000.

(2) Section 11 presently reads:

11(1) The Minister may, by order, prohibit or restrict travel in a wilderness area or ecological reserve during any period either absolutely or except under the authority of a permit issued by or on behalf of the Minister.

(2) A person who contravenes an order of the Minister under subsection (1) is guilty of an offence.