

2004 Bill 214

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Fourth Session, 25th Legislature, 53 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 214**

## **PUBLIC AUTOMOBILE INSURANCE COMMISSION ACT**

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DR. PANNU

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 214

2004

### PUBLIC AUTOMOBILE INSURANCE COMMISSION ACT

(Assented to \_\_\_\_\_, 2004)

WHEREAS public automobile insurance provides low and stable rates for consumers;

WHEREAS the Alberta insurance industry discriminates by offering differential rates based on age, gender and geographic location;

WHEREAS the introduction of public automobile insurance in Alberta could give effect to a number of improvements, namely, lower insurance rates, a reduction in the number of uninsured drivers and improved road safety and accident prevention; and

WHEREAS for the above reasons there is a need to examine the implementation of public automobile insurance in Alberta;

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

#### Definition

1 In this Act, "Commission" means the Public Automobile Insurance Commission appointed under section 2.

#### Public Automobile Insurance Commission

2(1) A Public Automobile Insurance Commission is to be appointed consisting of

- (a) a chair appointed by the Lieutenant Governor in Council who must be one of the following:

- (i) a judge or retired judge of any court in Alberta, or
  - (ii) a person whose stature and qualifications are, in the opinion of the Lieutenant Governor in Council, similar to those of the persons referred to in subclause (i),
- (b) one person, who is not a member of the Legislative Assembly, appointed by the Speaker of the Legislative Assembly on the nomination of the Leader of Her Majesty's loyal opposition,
  - (c) one person, who is not a member of the Legislative Assembly, appointed by the Speaker on the nomination of the leaders of the other opposition parties represented in the Legislative Assembly,
  - (d) one person appointed by the Consumers' Association of Canada, Alberta Chapter,
  - (e) one person, who is engaged in the general insurance business, appointed by the Insurance Bureau of Canada,
  - (f) one member of the legal profession appointed by the Law Society of Alberta,
  - (g) one person appointed by the Alberta Council on Aging,
  - (h) one person appointed by the Council of Alberta University Students, in consultation with the Alberta College and Technical Institute Students' Executive Council,
  - (i) one person appointed by the Canadian Federation of Independent Business, and
  - (j) one person appointed by the Alberta Federation of Labour.
- (2) Persons appointed under subsection (1) must be Canadian citizens, residents of Alberta and at least 18 years of age.
- (3) If there is not a third party represented in the Legislative Assembly, then a 2nd person may be appointed on the recommendation of the Leader of Her Majesty's loyal opposition pursuant to subsection (1)(b).

**Function**

**3** The function of the Commission is to review existing legislation governing automobile insurance and to make proposals to the

Legislative Assembly regarding the implementation of public automobile insurance in Alberta.

#### **Public hearings**

**4(1)** The Commission must hold public hearings, before its report is submitted to the Speaker, at the places and times it considers appropriate.

**(2)** The Commission shall give reasonable public notice of the time, place and purpose of any public hearings held by it.

#### **Remuneration**

**5** Provided that funds are allocated by the Legislative Assembly for the purpose, members of the Commission may receive

- (a) remuneration prescribed by the Lieutenant Governor in Council for their services on the Commission, and
- (b) reasonable travelling and living expenses incurred while away from their ordinary place of residence in the course of their duties as members.

#### **Time of appointment**

**6** The Commission must be appointed on or before June 30, 2005.

#### **Report to Speaker**

**7(1)** The Commission must, after considering any representation to it and within 6 months of the date on which the Commission is appointed, submit to the Speaker of the Legislative Assembly a report that outlines its recommendations to the Legislative Assembly for the implementation of public automobile insurance in Alberta.

**(2)** On receipt of the report, the Speaker shall make the report public and publish the Commission's proposals in The Alberta Gazette.

**(3)** The Speaker shall lay a copy of the report before the Assembly if it is then sitting or, if it is not then sitting, within 7 days after the commencement of the next sitting.

**(4)** If the office of the Speaker is vacant, the report shall be submitted to the Clerk of the Legislative Assembly, who shall comply with subsection (2).