

BILL 52

2005

MISCELLANEOUS STATUTES AMENDMENT ACT, 2005 (NO. 2)

(Assented to _____, 2005)

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

Assured Income for the Severely Handicapped Act

Amends RSA 2000 cA-45

1(1) The *Assured Income for the Severely Handicapped Act* is amended by this section.

(2) Section 1 is amended

(a) by renumbering clause (a) as clause (a.01) and by adding the following before clause (a.01):

(a) “child benefit” means a child benefit referred to in section 4(2.1)(a);

(b) in clause (e) by striking out “or (2)” and substituting “, (2) or (2.1)”;

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

(h.1) “supplementary income support benefit” means a benefit referred to in section 4(2.1).

(3) Section 4 is amended

(a) in subsection (2) by adding “referred to in subsection (1)” after “handicap benefit”;

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

(2.1) The Director may in accordance with this Act, out of money voted by the Legislature for the purpose, provide either or both of the following supplementary income support benefits of a nature or category and in an amount determined in the regulations to or for the benefit of a person who is eligible under subsection (3):

- (a) a child benefit in respect of each dependent child of a person who is eligible under subsection (3);
- (b) a personal benefit.

(c) in subsection (3)(c) by striking out “prescribed in the regulations” and substituting “referred to in subsection (1) plus, if applicable, the child benefit”;

(d) by repealing subsection (3)(d) and substituting the following:

- (d) the value of all assets owned by the person and the person’s spouse or cohabiting partner that are not exempt under section 8 and the regulations is
 - (i) \$100 000 or less, or
 - (ii) in the case of eligibility for a supplementary income support benefit, \$3000 or less.

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

(3.1) Where the Minister determines that a person is in circumstances of financial hardship, the Minister may exempt that person from the requirement of subsection (3)(d)(ii) or continue the supplementary income support benefit notwithstanding section 12(c)(i).

(4) Section 12 is amended

(a) by striking out “or” at the end of clause (b);

(b) by repealing clause (c) and substituting the following:

- (c) if the Director is satisfied that the value of the assets owned by the person who receives a handicap benefit

and the person's spouse or cohabiting partner that are not exempt under section 8 and the regulations has changed and is

- (i) greater than \$3000, discontinue the supplementary income support benefit, if any, and
- (ii) greater than \$100 000, discontinue the handicap benefit,

or

- (d) if the Minister is satisfied that a person who receives a supplementary income support benefit through a determination of financial hardship under section 4(3.1) is no longer in circumstances of financial hardship, discontinue the supplementary income support benefit.

(5) This section comes into force on Proclamation.

Income and Employment Supports Act

Amends SA 2003 cI-0.5

2 The *Income and Employment Supports Act* is amended by repealing section 60(4) and substituting the following:

(4) The *Widows' Pension Act*, RSA 2000 cW-7, is repealed on March 31, 2014.

Pharmacy and Drug Act

Amends RSA 2000 cP-13

3 The *Pharmacy and Drug Act* is amended by repealing section 28(1)(o).

Traffic Safety Amendment Act, 2005

Amends SA 2005 c34

4 The *Traffic Safety Amendment Act, 2005* is amended in section 19 by adding "(p)" before ", (p.1)".

Explanatory Notes

Assured Income for the Severely Handicapped Act

1(1) Amends chapter A-45 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

1 In this Act,

(e) “handicap benefit” means a benefit referred to in section 4(1) or (2);

(3) Section 4 presently reads in part:

(3) A person is eligible to receive a handicap benefit if the person satisfies the Director that

(a) the person is a Canadian citizen or permanent resident within the meaning of the Immigration Act (Canada), is ordinarily resident in Alberta and is 18 years of age or older,

(b) the person suffers from a severe handicap,

(c) the portion of the income of the person and the person’s spouse or cohabiting partner that is not exempt under the regulations is less than the maximum amount of the handicap benefit prescribed in the regulations, and

(d) the value of all assets owned by the person and the person’s spouse or cohabiting partner that are not exempt under section 8 and the regulations is \$100 000 or less.

(4) Section 12 presently reads:

12 The Director may,

- (a) *if the Director is satisfied that the income of the person who receives a handicap benefit or of the person's spouse or cohabiting partner has changed, increase, reduce or discontinue the handicap benefit as the Director considers appropriate,*
- (b) *if the Director is satisfied that the person who receives a handicap benefit is no longer severely handicapped, discontinue the handicap benefit, or*
- (c) *if the Director is satisfied that the value of the assets owned by the person who receives a handicap benefit and the person's spouse or cohabiting partner that are not exempt under section 8 and the regulations has changed and is greater than \$100 000, discontinue the handicap benefit.*

(5) Coming into force.

Income and Employment Supports Act

2 Amends chapter I-0.5 of the Statutes of Alberta, 2003. Section 60(4) presently reads:

(4) The Widows' Pension Act is repealed 2 years after section 59(2) of the Income and Employment Supports Act comes into force.

Pharmacy and Drug Act

3 Amends chapter P-13 of the Revised Statutes of Alberta 2000. Section 28(1) presently reads in part:

28(1) The council may make regulations

- (n) respecting the approval of bylaws;*
- (o) respecting the development of procedures for the approval by the members of the college of bylaws made under section 29;*

Traffic Safety Amendment Act, 2005

4 Amends chapter 34 of the Statutes of Alberta, 2005.
Section 19 presently reads

*19 Section 86(1)(c) is amended by striking out “(p) or (q)”
and substituting “, (p.1), (p.2), (q), (r) or (t)”.*