

2013 Bill 15

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First Session, 28th Legislature, 62 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 15**

## **EMERGENCY 911 ACT**

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THE ASSOCIATE MINISTER OF MUNICIPAL AFFAIRS

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 15

2013

### EMERGENCY 911 ACT

(Assented to \_\_\_\_\_, 2013)

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

#### **Definitions**

**1** In this Act,

- (a) “dispatch centre” means a place at which 911 calls are received from a public safety answering point and includes a dispatch centre as defined in the *Emergency Health Services Act*;

- (b) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (c) “911 call” means a request for 911 services made by means of
  - (i) a telephone call to a public safety answering point placed by dialling 911, and
  - (ii) any other method of accessing 911 services prescribed in the regulations;
- (d) “911 levy” means the 911 levy established under section 4;
- (e) “911 services” means services provided by a public safety answering point in response to a 911 call, including the directing of a 911 call to an appropriate dispatch centre;
- (f) “public safety answering point” means a communication centre that provides 911 services;
- (g) “wireless device” means a wireless device that is assigned a telephone number with an Alberta area code and is capable of being used to access 911 services, and includes any other devices prescribed in the regulations;
- (h) “wireless subscriber” means an end-user who subscribes to the services provided by a wireless telecommunication provider in respect of a wireless device;
- (i) “wireless telecommunication provider” means a person who provides wireless telecommunication services in Alberta to wireless subscribers, including the ability of the wireless subscribers to directly access 911 services.

### **Purposes**

**2** The purposes of this Act are

- (a) to establish a 911 levy to provide a means by which wireless subscribers contribute towards the funding of public safety answering points,
- (b) to promote and enhance public safety by supporting the funding of public safety answering points,

- (c) to support public safety answering points to enhance their existing capacity and their continued ability to provide reliable 911 services,
- (d) to support public safety answering points in integrating and supporting new technology with respect to providing 911 services, and
- (e) any other purposes prescribed in the regulations.

**Wireless telecommunication providers**

**3** Every wireless telecommunication provider shall register with the Minister by providing the information prescribed in the regulations within the time periods set out in the regulations.

**911 levy**

**4(1)** A 911 levy is established in the amount prescribed in the regulations.

**(2)** A wireless subscriber shall pay the 911 levy for each of the wireless subscriber's wireless devices that is connected to the services provided by a wireless telecommunication provider.

**(3)** The 911 levy must be paid for each month or portion of a month for which the wireless subscriber receives services from a wireless telecommunication provider.

**(4)** Every wireless telecommunication provider shall, in accordance with the regulations,

- (a) bill its wireless subscribers for the 911 levy for each of the wireless subscribers' wireless devices that is connected to the services provided by the wireless telecommunication provider,
- (b) collect the 911 levy from its wireless subscribers, and
- (c) subject to subsection (5), remit the 911 levy to the Government.

**(5)** A wireless telecommunication provider may retain a portion of the 911 levy, as prescribed in the regulations, for the purposes of off-setting administration costs incurred by the wireless

telecommunication provider in relation to billing for, collecting and remitting the 911 levy.

**Use of 911 levy remitted**

**5** The 911 levy remitted under section 4(4)(c) must be used for making payments or grants under section 6 and for defraying the costs of administering this Act and the regulations.

**Payments and grants**

**6** The Minister may, in accordance with the regulations, make payments or grants from the 911 levy remitted under section 4(4)(c) for carrying out the purposes of this Act.

**Minister's powers**

- 7** The Minister may, in order to carry out the purposes of this Act,
- (a) enter into agreements with any person, including an operator of a public safety answering point,
  - (b) establish Province-wide standards, guidelines and policies respecting 911 call taking processes and procedures, and
  - (c) do any other thing the Minister considers necessary.

**Frivolous or vexatious 911 calls**

**8** No person shall make a frivolous or vexatious 911 call.

**General offences**

**9(1)** A person who contravenes section 3, 4(4) or 8 is guilty of an offence and liable

- (a) for a first offence, to a fine of not more than \$5000, and
- (b) for a subsequent offence, to a fine of not more than \$10 000.

**(2)** A person who contravenes section 4(2) is guilty of an offence and liable to a fine of not more than \$1000.

**Limitation period**

**10** A prosecution for an offence under this Act or the regulations may be commenced within 2 years from the date of the contravention but not afterwards.

**Protection from liability**

**11** The Government, the Minister, a wireless telecommunication provider, an operator of a public safety answering point or an employee or volunteer engaged by any of them is not liable for any loss or damage suffered by any person by reason of anything done or omitted to be done by any of them in good faith in respect of 911 services or acting under the authority of this Act or the regulations.

**Regulations**

**12** The Lieutenant Governor in Council may make regulations

- (a) for the purposes of section 1(c), prescribing other methods of accessing 911 services;
- (b) prescribing additional purposes of this Act;
- (c) for the purposes of section 1(g), prescribing other devices as wireless devices;
- (d) respecting the information that must be provided by wireless telecommunication providers to the Minister under section 3 and the time periods within which the information must be provided;
- (e) respecting the billing for, collecting, remitting and refunding of the 911 levy;
- (f) respecting the amount of the 911 levy and respecting the portion of the 911 levy that a wireless telecommunication provider may retain under section 4(5);
- (g) respecting the making of payments or grants under section 6, including regulations
  - (i) respecting the purposes for which a payment or grant may be made;
  - (ii) respecting applications for payments or grants;

- (iii) respecting the conditions required to be met by an applicant for a payment or grant;
- (iv) respecting the conditions on which a payment or grant is made;
- (v) limiting the amount of a payment or grant or of a class of payment or grant;
- (h) respecting the manner of, form of and time periods for the providing of any information requested by the Minister under this Act;
- (i) respecting the records and information to be kept by a wireless telecommunication provider in respect of the billing for and collection and remittance of the 911 levy;
- (j) respecting the confidentiality of information collected under this Act and the circumstances under which, and to whom, that information may be disclosed;
- (k) respecting the preparation, contents and filing of returns by a wireless telecommunication provider;
- (l) respecting the audits and inspections of a wireless telecommunication provider for the purpose of ensuring compliance with this Act and the regulations;
- (m) respecting the assessment, reassessment and appeal of the amount required to be remitted by the wireless telecommunication provider or refunded by the Government;
- (n) providing for the imposition and payment of penalties for the late filing of returns;
- (o) respecting interest payable on amounts owing to the Government;
- (p) providing with respect to any provision of the regulations that its contravention constitutes an offence and prescribing penalties in respect of any such offence;
- (q) defining terms used in this Act but not defined in this Act;



- (f) respecting any other matter the Lieutenant Governor in Council considers necessary for carrying out the intent of this Act.

**Coming into force**

**13** This Act comes into force on Proclamation.





