

2015 Bill 205

First Session, 29th Legislature, 64 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 205

**PERSONS WITH DEVELOPMENTAL DISABILITIES
SERVICES (PUBLIC CONSULTATION)
AMENDMENT ACT, 2015**

MS RENAUD

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 205

2015

PERSONS WITH DEVELOPMENTAL DISABILITIES SERVICES (PUBLIC CONSULTATION) AMENDMENT ACT, 2015

(Assented to _____, 2015)

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

Amends RSA 2000 P-9.5

1 The *Persons with Developmental Disabilities Services Act* is amended by this Act.

2 The following is added after section 23:

Public input

23.1(1) Neither the Minister nor the Lieutenant Governor in Council shall make any regulation under this Act unless

- (a) the Minister has published a notice of the proposed regulation on the public website of the Minister's department,
- (b) the notice complies with the requirements of this section,
- (c) the time period specified in the notice, during which members of the public and stakeholders may submit comments, has expired, and
- (d) the Minister has reported to the Executive Council in accordance with subsection (4).

(2) The notice referred to in subsection (1)(a) must contain

Explanatory Notes

- 1** Amends chapter P-9.5 of the Revised Statutes of Alberta 2000.
- 2** New section regarding public input on regulations.

- (a) a summary of the proposed regulation and the proposed text of it;
 - (b) a statement of the time period during which members of the public and stakeholders may submit written comments on the proposed regulation to the Minister and the manner in which the comments must be submitted;
 - (c) any other information that the Minister considers appropriate.
- (3)** The time period referred to in subsection (2)(b) must not end until at least 30 days after the Minister gives the notice unless the Minister shortens the time period in accordance with subsection (6).
- (4)** After receiving the comments submitted under subsection (2)(b), the Minister must report to the Executive Council on what, if any, changes to the proposed regulation the Minister considers appropriate.
- (5)** Following the submission of the Minister's report to the Executive Council, the Minister or the Lieutenant Governor in Council, as the case may be, without further notice may make the proposed regulation with changes that the Minister or the Lieutenant Governor in Council considers appropriate, whether or not those changes are referred to in the Minister's report under subsection (4).
- (6)** The Minister may, prior to the making of a regulation under this section, exempt the proposed regulation from the application of subsections (1) to (5) or shorten the time period referred to in subsection (2)(b) if, in the Minister's opinion,
- (a) the urgency of the situation requires it,
 - (b) the proposed regulation clarifies the intent or operation of this Act or a regulation, or
 - (c) the proposed regulation is of a minor or technical nature.
- (7)** If the Minister decides under subsection (6) to exempt a proposed regulation from the application of subsections (1) to (5) or to shorten a time period, the Minister shall immediately post a notice of the decision on the public website of the Minister's department.

(8) No regulation made under section 23 is invalid as a result of non-compliance with this section if there has been substantial compliance.

3 This Act comes into force on Proclamation.

3 Coming into force.

