

2017 Bill 205

Third Session, 29th Legislature, 66 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 205

ADVOCATE FOR PERSONS WITH DISABILITIES ACT

MS JANSEN

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 205

2017

ADVOCATE FOR PERSONS WITH DISABILITIES ACT

(Assented to _____, 2017)

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

Definitions

1 In this Act,

- (a) “Advocate” means the Advocate for Persons with Disabilities appointed under section 2(1);
- (b) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

Appointment of Advocate for Persons with Disabilities

- 2(1) The Lieutenant Governor in Council shall appoint an Advocate for Persons with Disabilities to carry out the duties and functions set out in this Act.
- (2) The Minister may authorize and provide for the payment of the remuneration and expenses of the Advocate and of the office and staff of the Advocate.
- (3) For the purpose of carrying out the Advocate’s duties, the Advocate may exercise any of the powers set out in the regulations.
- (4) In accordance with the *Public Service Act*, there may be appointed any employees required to assist the Advocate in performing the Advocate’s duties under this Act.

Role and functions of Advocate

- 3(1)** The role of the Advocate is to represent the rights, interests and viewpoints of persons with disabilities.
- (2)** In carrying out the role of the Advocate under subsection (1), the Advocate may
- (a) identify and study issues of concern to persons with disabilities and recommend action where appropriate;
 - (b) review programs and policies affecting persons with disabilities;
 - (c) participate in processes in which decisions are made about persons with disabilities;
 - (d) promote the rights, interests and well-being of persons with disabilities through public education;
 - (e) provide information and advice to the Government with respect to any matter relating to the rights, interests and well-being of persons with disabilities;
 - (f) assist individuals who are having difficulty accessing services and related programs for persons with disabilities, including directing them to an appropriate resource, person or organization;
 - (g) perform any other function prescribed in the regulations.

Annual report

- 4(1)** As soon as possible after the end of each year, the Advocate shall prepare and submit to the Minister a report summarizing the Advocate's activities in that year.
- (2)** On receiving a report under subsection (1), the Minister shall lay a copy of the report before the Legislative Assembly if it is then sitting or, if not, within 15 days after the commencement of the next sitting.

Regulations

- 5** The Lieutenant Governor in Council may make regulations
- (a) prescribing other functions of the Advocate;

- (b) defining any word or expression used but not defined in this Act;
- (c) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary for carrying out the intent of this Act.

Review of Act

6(1) Within one year of the Advocate's appointment under section 2(1), the Advocate shall prepare a report evaluating the effectiveness of this Act that includes any amendments and recommendations relating to persons with disabilities that the Advocate considers appropriate.

(2) On completing the report, the Advocate shall submit the report to the Speaker of the Legislative Assembly.

(3) On receiving a report under subsection (2), the Speaker of the Legislative Assembly shall lay the report before the Legislative Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

(4) Within 10 sitting days after the report is tabled under subsection (3), the Government must bring forward a motion to have the report referred to a committee of the Legislative Assembly.

(5) The committee to which a report is tabled must report back to the Legislative Assembly within 90 days of the report being referred to it if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

Coming into force

7 This Act comes into force on Proclamation.

