

2022 Bill 204

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Fourth Session, 30th Legislature, 1 Charles III

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 204

**MISSING PERSONS (SILVER  
ALERT) AMENDMENT ACT, 2022**

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MR. SMITH

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 204

2022

### MISSING PERSONS (SILVER ALERT) AMENDMENT ACT, 2022

(Assented to \_\_\_\_\_, 2022)

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

#### Missing Persons (Silver Alert) Amendment Act, 2017

#### Amends SA 2017 c23

**1(1) The *Missing Persons (Silver Alert) Amendment Act, 2017* is amended by this section.**

**(2) The following is added immediately after section 1:**

**1.1 The following is added immediately after section 1(f):**

(f.1) “silver alert” means a broadcast message that disseminates information to the public through the media or other means, in a specific geographic area or community, with respect to a missing person who is 55 years or older;

**(3) Section 2 is repealed and the following is substituted:**

**2 Section 7 is amended as follows:**

**(a) in subsection (3) by striking out “release, in the form of a media release or by posting on a website” and substituting “make public, in the form of a media release, a silver alert or through posting on a website”;**

## Explanatory Notes

### Missing Persons (Silver Alert) Amendment Act, 2017

1(1) Amends chapter 23 of the Statutes of Alberta, 2017.

(2) Section 1 presently reads:

*1 The Missing Persons Act is amended by this Act.*

(3) Section 2 presently reads:

*2 The following is added after section 2:*

*Silver alert system*

*2.1(1) In this section,*

*(a) “mental disorder” means a mental disorder as defined in the Mental Health Act;*

*(b) “silver alert” means a broadcast messaging system that disseminates information to the public through the media and*

**(b) by adding the following immediately after subsection (3):**

**(3.1)** A police service may, subject to the regulations, enter into an arrangement or agreement with a broadcaster or other partner that the police service considers appropriate for the purpose of broadcasting a silver alert in a specific geographic area or community.

**(3.2)** For greater certainty, nothing in subsection (3.1) limits or otherwise constrains the powers of a police service under subsection (3) with respect to a missing person who is not the subject of a silver alert.

*other means as soon as practicable after a person who meets the requirements in subsection (3) goes missing.*

*(2) For the purpose of collaborating to activate silver alerts, a police service may enter into an arrangement or agreement with one or more broadcasters and any other partners that the police service considers appropriate.*

*(3) A police service may activate a silver alert when an individual is reported missing to the police service if the police service determines that the following requirements are met:*

- (a) the individual is a missing person,*
- (b) the individual is a represented adult under the Adult Guardianship and Trusteeship Act or an adult with a cognitive impairment, mental disorder or medical condition that may render the person vulnerable,*
- (c) the individual's safety and welfare are feared for given the individual's cognitive impairment, mental disorder or medical condition, and*
- (d) there is information available that, if disseminated to the public, could assist in the individual's safe recovery.*

*(4) Subject to subsection (5), information obtained independently of this Act that could assist in the safe recovery of the missing person may be disseminated through a silver alert, including the following information:*

- (a) the missing person's name;*
- (b) a physical description of the missing person;*
- (c) a photograph of the missing person;*
- (d) information about any medical conditions of the missing person that might cause imminent risk;*
- (e) pertinent vehicle information;*
- (f) the place where the missing person was last seen;*
- (g) the circumstances surrounding the disappearance of the missing person.*

*(5) Personal health information may be disseminated under subsection (4)(d) only if*

- (a) a police service reasonably believes that disseminating the information will assist in safely recovering the missing person, and*

**(4) The following is added immediately after section 2:**

**2.1 Section 14 is amended by adding the following immediately after clause (c):**

- (c.1) respecting the making of an arrangement or agreement between a police service and broadcaster or other partner for the purpose of broadcasting a silver alert in a specific geographic area or community;

### **Missing Persons Act**

**Amends SA 2011 cM-18.5**

**2(1) The *Missing Persons Act* is amended by this section.**

**(2) The following is added immediately after section 1(f):**

- (f.1) “silver alert” means a broadcast message that disseminates information to the public through the media and other means, in a specific geographic area or community, with respect to a missing person who is 55 years or older;

**(3) Section 2.1 is repealed.**

**(4) Section 7 is amended as follows:**

- (a) **in subsection (3) by striking out** “release, in the form of a media release or by posting on a website” **and substituting** “make public, in the form of a media release, a silver alert or through posting on a website”;

*(b) the information is limited to the minimum amount necessary to accomplish the purpose for which it is disseminated.*

*(6) A police service may also disseminate through a silver alert information released under section 7(3).*

(4) Amends section 2.

### **Missing Persons Act**

**2**(1) Amends chapter M-18.5 of the Statutes of Alberta, 2011.

(2) Section 1(f) presently reads:

*1 In this Act,*

*(f) “records” means*

*(i) records as defined in the Freedom of Information and Protection of Privacy Act, the Health Information Act or the Personal Information Protection Act, as applicable, or*

*(ii) a record of information in the custody of an organization to which subclause (i) does not apply, in any form or in any medium, whether in written, printed, photographic or electronic form or any other form, but does not include a computer program or other mechanism that can produce a record;*

(3) Silver alert system.

(4) Section 7 presently reads in part:

*7(1) Any information or records collected under this Act are confidential and may not be disclosed except in accordance with this section.*

*(3) A police service may, for the purposes of furthering its investigation into the whereabouts of a missing person, release, in the form of a media release*

**(b) by adding the following immediately after subsection (3):**

**(3.1)** A police service may, subject to the regulations, enter into an arrangement or agreement with a broadcaster or other partner that the police service considers appropriate for the purpose of broadcasting a silver alert in a specific geographic area or community.

**(3.2)** For greater certainty, nothing in subsection (3.1) limits or otherwise constrains the powers of a police service under subsection (3) with respect to a missing person who is not the subject of a silver alert.

**(5) The following is added immediately after section 14(c):**

(c.1) respecting the making of an arrangement or agreement between a police service and broadcaster or other partner for the purpose of broadcasting a silver alert in a specific geographic area or community;

**Repeal**

**3(1)** If this Act comes into force before the *Missing Persons (Silver Alert) Amendment Act, 2017* comes into force, section 2 of this Act is repealed.

**(2)** If this Act comes into force after the *Missing Persons (Silver Alert) Amendment Act, 2017* comes into force, section 1 of this Act is repealed.

**Coming into force**

**4** This Act comes into force on March 31, 2023.



or by posting on a website, the following information collected under this Act in respect of the missing person:

- (a) the missing person's name;
- (b) a physical description of the missing person;
- (c) a photograph of the missing person;
- (d) information about any medical conditions of the missing person that might cause imminent risk;
- (e) pertinent vehicle information;
- (f) the place that the missing person was last seen;
- (g) the circumstances surrounding the disappearance of the missing person.

(5) Section 14 presently reads in part:

*14 The Lieutenant Governor in Council may make regulations*

- (c) *prescribing records for the purposes of section 4(2)(h);*

**3**(1) Coordinated amendment.

(2) Coordinated amendment.

**4** Coming into force.





# Record of Debate

STAGE	DATE	MEMBER	FROM	TO	TOTAL	CUMULATIVE TOTAL