

2024 Bill 29

First Session, 31st Legislature, 3 Charles III

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 29

FAIRNESS AND SAFETY IN SPORT ACT

THE MINISTER OF TOURISM AND SPORT

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 29

2024

FAIRNESS AND SAFETY IN SPORT ACT

(Assented to , 2024)

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Preamble

WHEREAS participation in sport is important for the physical and mental health of Albertans;

WHEREAS the Government of Alberta wishes to promote meaningful opportunities for all Albertans to participate in sport;

WHEREAS the Government of Alberta is committed to promoting fairness and safety for all participants in sport; and

WHEREAS fair and safe sport provides participants with opportunities to demonstrate athletic ability and enjoy the respect, recognition, self-confidence and other long-term benefits that result from participating in sport;

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

Definitions

1 In this Act,

- (a) “board” means the governing body of an entity referred to in section 2 and includes
 - (i) the board of trustees of a school division,
 - (ii) the operator of a charter school,
 - (iii) the person responsible for the operation of a private school,
 - (iv) the trustees of a Francophone regional authority,
 - (v) the board of governors of a public post-secondary institution,
 - (vi) the governing body of an independent academic institution,
 - (vii) the board of directors or other governing body of a provincial sport organization prescribed by the regulations, and
 - (viii) the board of directors or other governing body of an entity or class of entity prescribed by the regulations;
- (b) “charter school” means a charter school as defined in the *Education Act*;
- (c) “Francophone regional authority” means a Francophone regional authority as defined in the *Education Act*;
- (d) “independent academic institution” means an independent academic institution as defined in the *Post-secondary Learning Act*;
- (e) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (f) “private school” means a private school as defined in the *Education Act*;
- (g) “provincial sport organization” means a society incorporated under the *Societies Act* that is

- (i) the primary organization governing a sport in Alberta, and
- (ii) affiliated with a national sport organization or international federation in respect of the sport, if such an organization or federation exists;
- (h) “public post-secondary institution” means a public post-secondary institution as defined in the *Post-secondary Learning Act*;
- (i) “relevant sport” means an amateur competitive sport or sport discipline governed, regulated, coordinated, promoted or sponsored by an entity referred to in section 2 or its board;
- (j) “school division” means a school division as defined in the *Education Act*.

Application

2 Subject to the regulations, this Act applies to the following entities:

- (a) a school division;
- (b) a charter school;
- (c) a private school;
- (d) a Francophone regional authority;
- (e) a public post-secondary institution;
- (f) an independent academic institution;
- (g) a provincial sport organization prescribed by the regulations;
- (h) an entity or class of entity prescribed by the regulations.

Policies

3(1) Subject to the regulations, a board shall establish, implement and maintain policies respecting fairness and safety with respect to each relevant sport.

(2) The policies referred to in subsection (1) may be with respect to one or more relevant sports.

(3) The policies referred to in subsection (1) must

- (a) address the following matters in accordance with the regulations:
 - (i) eligibility requirements to participate in the relevant sport;
 - (ii) processes or methods for determining whether individuals meet the eligibility requirements to participate in the relevant sport;
 - (iii) any other matters specified in the regulations,
- (b) include any provisions or content prescribed by the regulations, and
- (c) conform to any requirements specified in the regulations.

(4) A board shall provide to the Minister a copy of any policy under this section that the Minister requests.

Reporting requirements

4(1) In accordance with the regulations, a board shall provide to the Minister, with respect to each relevant sport, information respecting the following:

- (a) complaints relating to
 - (i) the board's policies respecting the matters referred to in section 3(3)(a)(i) and (ii), and
 - (ii) any decisions made under the board's policies respecting the matters referred to in section 3(3)(a)(i) and (ii);
- (b) requests for the establishment of mixed-gender or mixed-sex leagues, classes or divisions;
- (c) the establishment of mixed-gender or mixed-sex leagues, classes or divisions;
- (d) other matters prescribed by the regulations.

(2) The information referred to in subsection (1) must be provided in the form and manner required by the Minister.

Ministerial guidelines

5(1) The Minister may establish guidelines respecting the content, form and interpretation of any policies required under section 3.

(2) The Minister shall publish any guidelines established under subsection (1) on the website of the Minister's department.

Protection from liability

6 No action lies or shall be commenced against the following for anything done or omitted to be done in good faith in the performance or intended performance of their powers, duties and functions under this Act, the regulations or the policies required under this Act:

- (a) the Crown or its Ministers, employees, appointees or agents;
- (b) a board or its employees or agents;
- (c) an individual who performs services on behalf of a board or entity in respect of a relevant sport, whether for remuneration or not;
- (d) a participant in a relevant sport.

Regulations

7 The Lieutenant Governor in Council may make regulations

- (a) exempting entities from the application of all or part of this Act;
- (b) prescribing provincial sport organizations for the purposes of section 2(g);
- (c) prescribing entities or classes of entity for the purposes of section 2(h);
- (d) respecting the requirements that policies under section 3 must meet, including regulations

- (i) respecting matters that must be addressed in policies for the purposes of section 3(3)(a)(iii),
- (ii) prescribing provisions or content that policies must include for the purposes of section 3(3)(b), and
- (iii) respecting requirements to which policies must conform for the purposes of section 3(3)(c);
- (e) respecting the collection, use and disclosure of information, including personal information, by an entity referred to in section 2 or its board;
- (f) prescribing matters in respect of which information is to be provided for the purposes of section 4(1)(d);
- (g) respecting the frequency and timing of the provision of information under section 4(1);
- (h) defining any term used but not defined in this Act;
- (i) respecting any other matter or thing the Lieutenant Governor in Council considers necessary to carry out the purposes of this Act.

Coming into force

- 8** This Act comes into force on Proclamation.

RECORD OF DEBATE

Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
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