

2026 Bill 36

Second Session, 31st Legislature, 5 Charles III

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 36

**CHILDREN AND FAMILY SERVICES
(SUPPORTING ALBERTA FAMILIES)
STATUTES AMENDMENT ACT, 2026**

THE MINISTER OF CHILDREN AND FAMILY SERVICES

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 36

2026

CHILDREN AND FAMILY SERVICES (SUPPORTING ALBERTA FAMILIES) STATUTES AMENDMENT ACT, 2026

(Assented to _____, 2026)

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

Child, Youth and Family Enhancement Act

Amends RSA 2000 cC-12

**1(1) The *Child, Youth and Family Enhancement Act* is
amended by this section.**

NOTE: 1(1) Amends chapter C-12 of the Revised Statutes
of Alberta 2000.

(2) Section 1 is amended

(a) in subsection (1)

**(i) by repealing clause (k) and substituting the
following:**

(k) “foster caregiver” means a person approved as a
foster caregiver under section 7.1;

(ii) by adding the following after clause (m.1):

(m.11) “kinship caregiver” means a person approved as a
kinship caregiver under section 7.2;

(iii) by adding the following after clause (w):

- (w.1) “sexual exploitation” means sexual exploitation as defined in the *Protection of Sexually Exploited Children Act*;

(b) in subsection (3)

(i) by repealing clause (a)(ii)(E) and (F) and substituting the following:

- (E) the mental or emotional condition of the guardian of the child or anyone living in the same residence as the child,
- (F) chronic alcohol or drug abuse by the guardian or by anyone living in the same residence as the child, or
- (G) exposure to violence online or by other electronic means;

(ii) by repealing clause (c) and substituting the following:

- (c) a child is sexually abused if the child is sexually exploited or inappropriately exposed or subjected to sexual contact, activity or behaviour.

NOTE: (2) Section 1 presently reads in part:

1(1) In this Act,

- (k) “foster parent” means a person approved as a foster parent by a director;*

(3) For the purposes of this Act,

- (a) a child is emotionally injured*

- (ii) if there are reasonable and probable grounds to believe that the emotional injury is the result of*

- (E) the mental or emotional condition of the guardian of the child or of anyone living in the same residence as the child;*

(F) chronic alcohol or drug abuse by the guardian or by anyone living in the same residence as the child;

(c) a child is sexually abused if the child is inappropriately exposed or subjected to sexual contact, activity or behaviour including prostitution related activities.

(3) Section 2(1) is amended

(a) by repealing clause (b) and substituting the following:

(b) the child's opinions, if they can be ascertained;

(b) by adding the following after clause (i):

(i.1) any decision concerning the placement of the child should give priority to placing the child with a kinship caregiver;

(c) by adding the following after clause (j):

(j.1) if it is practicable to ascertain, the opinion of the child's family respecting the types of resources and supports to be provided to the child;

(j.2) any planning for the care of the child should involve the child's foster caregiver or kinship caregiver;

(d) by repealing clause (m) and substituting the following:

(m) any decision respecting the child should be made or implemented as soon as practicable.

NOTE: (3) Section 2(1) presently reads in part:

2(1) If a child is in need of intervention, a court, an Appeal Panel and all persons who exercise any authority or make any decision under this Act relating to the child must do so in the best interests of the child and must consider the following as well as any other relevant matter:

- (b) if the child is capable of forming an opinion, the child's opinion should be taken into account;*
- (m) there should be no unreasonable delay in making or implementing a decision respecting the child.*

(4) The following is added after section 7:

**Division 1.1
Foster Caregivers and
Kinship Caregivers**

Approval of foster caregivers

7.1(1) A director may approve a person as a foster caregiver.

(2) A person who has a subsisting approval as a foster parent immediately before the coming into force of this section is, immediately on the coming into force of this section, deemed to be a foster caregiver approved under subsection (1).

Approval of kinship caregivers

7.2 A director may approve a person as a kinship caregiver.

NOTE: (4) Division 1.1 Foster Caregivers and Kinship Caregivers.

(5) Section 23 is amended

(a) by repealing subsection (1)(d) and (e) and substituting the following:

- (d)** a foster caregiver who had care and custody of the child for a continuous period of more than 6 of the 12 months preceding the application,
- (e)** a kinship caregiver who had care and custody of the child for a continuous period of more than 6 of the 12 months preceding the application, and
- (f)** any other person who had care and custody of the child at the time the child was apprehended if that person had

care and custody of the child for a continuous period of more than 6 of the 12 months preceding the application.

(b) by repealing subsection (3)(a), (b) and (c) and substituting the following:

- (a) a director referred to in subsection (1)(b),
- (b) a foster caregiver referred to in subsection (1)(d),
- (c) a kinship caregiver referred to in subsection (1)(e), and
- (d) a person referred to in subsection (1)(f).

NOTE: (5) Section 23 presently reads in part:

23(1) Notice of the nature, date, time and place of every hearing under this Division shall be served by the applicant on

- (d) a foster parent of the child, if the child was in the continuous care of that foster parent for more than 6 months immediately preceding the application, and*
- (e) any other person in whose care the child was when the child was apprehended, if the child was in the continuous care of that person for more than 6 months immediately preceding the application.*

(3) Notice under subsection (1) may be served by mail on

- (a) a director,*
- (b) a foster parent, and*
- (c) a person in whose care the child was when the child was apprehended.*

(6) Section 30(1) is amended by striking out “has encouraged or is likely to encourage the child to engage in prostitution” and substituting “has encouraged or is likely to encourage the child to engage in an activity that would lead to the child being sexually exploited or at risk of sexual exploitation”.

NOTE: (6) Section 30(1) presently reads in part:

30(1) If a child has been apprehended under section 19 or is the subject of a supervision order or a temporary or permanent guardianship order and a director has reasonable and probable grounds to believe that a person has physically or emotionally injured or sexually abused the child, or is likely to physically or emotionally injure or sexually abuse the child or has encouraged or is likely to encourage the child to engage in prostitution, the director may apply to the Court of King's Bench for either or both of the following orders:

(7) Section 32(3) is amended by striking out “despite section 33” and substituting “without hearing further evidence and despite section 33”.

NOTE: (7) Section 32(3) presently reads:

(3) Unless it is satisfied that it would be in the best interests of the child to order otherwise, the Court shall, despite section 33, extend the period of the original order pending the disposition of the application under this section.

(8) Section 33(5) is amended by adding “, without hearing further evidence,” after “the Court shall”.

NOTE: (8) Section 33(5) presently reads:

(5) Despite subsection (2), if the Court adjourns a hearing of an application for permanent guardianship, the Court shall make an interim order granting custody of the child to a director pending the disposition of the application unless it is satisfied that it would be in the best interests of the child to order otherwise.

(9) The following is added after section 34.1:

Framework respecting permanency planning

34.2 The Minister may establish a framework respecting a process of planning for the permanent care of a child in the care of a director.

NOTE: (9) Framework respecting permanency planning.

(10) Section 44(2)(c) is repealed and the following is substituted:

- (c) after considering the cumulative period the child has been confined in a secure services facility, less intrusive measures are not adequate to sufficiently reduce the danger.

NOTE: (10) Section 44(2)(c) presently reads:

(2) The Court may make a secure services order in respect of a child for a period of not more than 5 days if it is satisfied that

- (c) less intrusive measures are not adequate to sufficiently reduce the danger.*

(11) Section 44.1 is amended

(a) by adding the following after subsection (2):

(2.1) Despite subsection (2), before the expiry of a secure services order that was renewed under subsection (1), a director may issue a new secure services certificate under section 43.1 or apply for a new secure services order under section 44.

(b) in subsection (3) by striking out “Despite subsection (2), if” and substituting “If”.

NOTE: (11) Section 44.1 presently reads in part:

(2) The total period of confinement of a child in a secure services facility under this section and sections 43.1 and 44 shall not exceed 30 consecutive days.

(3) Despite subsection (2), if the child ceases to be in the custody of a director or the subject of a supervision order, a temporary guardianship order, a permanent guardianship agreement or order or a family enhancement agreement under section 8, the confinement in the secure services facility terminates immediately.

(12) Section 58.1 is amended

(a) by repealing clause (a) and substituting the following:

- (a) any decision respecting the child should be made or implemented as soon as practicable;

(b) by repealing clause (f) and substituting the following:

- (f) the child's opinions, if they can be ascertained;

(c) by adding the following after clause (g):

- (g.1) any planning for the care of the child should involve the child's foster caregiver or kinship caregiver;

NOTE: (12) Section 58.1 presently reads in part:

58.1 A court and all persons who must exercise any authority or make any decision under this Act relating to the adoption of a child, including relating to the placement of a child, must do so in the best interests of the child, and must consider the following as well as any other relevant matter:

- (a) there should be no unreasonable delay in making or implementing a decision respecting the child;*
- (f) if the child is capable of forming an opinion, the child's opinion should be taken into account;*

(13) Section 59 is amended

(a) by adding the following before subsection (1):

Consent to adoption

59(0.1) In this section, “prior guardian” means, in respect of a child, the person who was the child’s guardian immediately before the person who is applying to the Court for an order under section 62 became the child’s guardian.

(b) by repealing subsection (2) and substituting the following:

(2) If the person applying to the Court for an adoption order is the sole guardian of the child, the adoption order must not be made without the child’s prior guardian providing consent in the prescribed forms.

(2.1) Despite subsections (1) and (2), if the child’s prior guardian was a director,

- (a) the director does not need to consent to the adoption, and
- (b) the adoption order must not be made without an affidavit setting out any facts the director considers relevant to the application, including facts respecting any involvement the director had with the child or the applicant.

NOTE: (13) Section 59 presently reads in part:

(2) If the person who is applying to the court under section 62 for an adoption order is the sole guardian of the child, an adoption order in respect of the child shall not be made without the consent in the prescribed form of the person who was the child’s guardian before the applicant became the guardian.

(14) Section 66 is repealed and the following is substituted:

Minister’s report

66 If the Minister is served with a notice of hearing under section 64, the Minister may

- (a) prepare a report summarizing any records under this Act relevant to the proposed adoption,
- (b) file the report with the clerk of the Court, and

- (c) provide a copy of the report to the applicant.

NOTE: (14) Section 66 presently reads:

66(1) On being served with a notice under section 64, the Minister may conduct an investigation with respect to the proposed adoption and may file a report of the investigation with the clerk of the Court.

(2) The Minister shall provide to the applicant forthwith a copy of any report filed by the Minister under subsection (1).

(15) Section 74(3) is amended by striking out “other than a director”.

NOTE: (15) Section 74(3) presently reads:

(3) If a guardian other than a director has consented to the adoption of a child and an officer of a licensed adoption agency filed the application, an officer of the licensed adoption agency must, within 35 days after the making of the adoption order, notify the consenting guardian that the adoption order has been made, unless the consenting guardian has indicated a desire not to be notified.

(16) The following is added before the heading preceding section 74.1:

Openness agreements

74.01(1) In this section, “openness agreement” means an agreement for the purposes of facilitating communication and maintaining relationships in the context of an adoption.

(2) An adoptive parent or a prospective adoptive parent of a child may enter into an openness agreement in writing with any of the following:

- (a) a birth parent of the child;
- (b) a foster caregiver of the child;

- (c) a kinship caregiver of the child;
- (d) any other person who has established a significant relationship with the child;
- (e) a prospective adoptive parent or an adoptive parent of a minor sibling of the child;
- (f) in the case of an Indigenous child, a member of the child's Indigenous community.

(3) An adoptive parent or a prospective adoptive parent may enter into an openness agreement only after each person required to consent to the adoption under section 59 has given consent to the adoption, and

- (a) in the case of a child who is 12 years of age or older, the child has given written consent to enter into the agreement, or
- (b) in the case of a child who is under 12 years of age, the opinion of the child has been considered, if practicable to do so.

(4) An openness agreement does not have any legal effect on the adoption order or the adoption.

NOTE: (16) Openness agreements.

(17) The following is added after section 74.1:

Release of adoption information

74.11(1) In this section, “parent” means a biological parent and an adoptive parent under a previous adoption order.

(2) On receiving a written request from an adopted person who is 18 years of age or older, an adopted person who is 16 years of age or older and is, in the opinion of the Minister, living independently from the person's guardian, a descendant of a deceased adopted person, a parent of an adopted person or an adult sibling of the adopted person, the Minister may release to the person making the request any information, including personal information, that is in the Minister's custody or control.

(3) Subsection (2) does not apply with respect to the information in

- (a) documents sealed under section 74.1(1), or
- (b) orders, registrations and documents sealed under section 74.1(2).

NOTE: (17) Release of adoption information.

(18) Section 85(2)(c) is repealed and the following is substituted:

- (c) the publication of an announcement by an adoptive parent in respect of an adoption order,

NOTE: (18) Section 85(2)(c) presently reads:

(2) Subsection (1) does not apply to

- (c) the publication of an announcement by an applicant in respect of the adoption,*

(19) Section 95(2)(e)(ii) is amended by striking out “wishes and opinions” and substituting “opinions”.

NOTE: (19) Section 95(2)(e)(ii) presently reads:

(2) If a child is habitually resident in Alberta, an adoption under this Division may take place only if the competent authority for Alberta

- (e) if the child is 12 years of age or older, has ensured that*

- (ii) consideration has been given to the child’s wishes and opinions, and*

(20) Section 105.3(4)(b)(ii) is amended by striking out “foster parent” and substituting “foster caregiver”.

NOTE: (20) Section 105.3(4)(b)(ii) presently reads:

(4) A residential facility licence issued under this section must

(b) state

(ii) the maximum number of children, other than children of a foster parent, who may reside in the residential facility,

(21) Section 111(1) is repealed and the following is substituted:

Right to appear

111(1) In any proceedings before the Court under Part 1, Division 3 or 4, the following persons may appear and make representations to the Court respecting the child:

- (a) a foster caregiver of the child;
- (b) a kinship caregiver of the child;
- (c) a person, other than a foster caregiver or kinship caregiver, who has had continuous care and custody of the child for not less than 6 months;
- (d) any other person with the consent of the Court.

NOTE: (21) Section 111(1) presently reads:

111(1) In any proceedings before the Court under Part 1, Division 3 or 4,

(a) a foster parent or any other person who has had continuous care and custody of the child for not less than 6 months, and

(b) any other person, with the consent of the Court, may appear and make representations to the Court.

(22) Section 117.1(1)(c) is repealed and the following is substituted:

- (c) a foster caregiver;
- (c.1) a kinship caregiver;

NOTE: (22) Section 117.1(1)(c) presently reads:

117.1(1) The following persons directly affected by a decision of a director under this Act may request, within 30 days of the decision, that the director review the decision:

- (c) a foster parent;*

(23) Section 120(1)(e) is amended by striking out “foster parent” and substituting “foster caregiver”.

NOTE: (23) Section 120(1)(e) presently reads:

120(1) Any of the following persons who are affected by a decision of a director may appeal that decision in accordance with this section:

- (e) in respect of a decision under subsection (2)(a.1) to (a.4), a foster parent.*

(24) Section 121(4) is amended

- (a) in clause (b) by striking out “foster parent” and substituting “foster caregiver”;**

- (b) by adding the following after clause (b):**

- (b.1) a kinship caregiver in respect of a particular child;

NOTE: (24) Section 121(4) presently reads in part:

(4) A director may delegate to any of the following any power, duty or function of the director referred to in subsection (2):

(b) a foster parent in respect of a particular child;

(25) Section 126.11(8)(e) is repealed and the following is substituted:

- (c) the need to resolve matters affecting a child as soon as practicable,

NOTE: (25) Section 126.11(8)(e) presently reads:

(8) The court, on considering

(e) the need to not unduly delay matters affecting a child,

may order that the record or the part of the record be produced to the court, if the court is satisfied that it is relevant, material and likely necessary to advance the position of the applicant.

(26) Section 126.2 is amended by adding the following after subsection (4):

(4.01) If a person contravenes subsection (1), a director may apply to the Court for an order directing the person to remove any name or photograph that the person published in contravention of subsection (1).

(4.02) The Court may make an order directing a person who is the subject of an application under subsection (4.01) to remove any name or photograph that the person published in contravention of subsection (1).

NOTE: (26) Permits a director to apply for an order to remove a publication.

(27) Section 131.1 is repealed.

NOTE: (27) Section 131.1 presently reads:

131.1 For the purposes of section 131(1)(d.1), no regulation shall be made prior to being considered by an all party committee of the Legislative Assembly.

(28) This section comes into force on Proclamation.

NOTE: (28) Coming into force.

Education Act

Amends SA 2012 cE-0.3

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

NOTE: 2(1) Amends chapter E-0.3 of the Statutes of Alberta, 2012.

(2) Section 4(2)(a) and (5) are amended by striking out “foster parent” wherever it occurs and substituting “foster caregiver or kinship caregiver”.

NOTE: (2) Section 4(2)(a) and (5) presently read:

(2) For the purposes of this section and section 59,

(a) a student who is in the care of a foster parent under the Child, Youth and Family Enhancement Act is deemed to be a resident student of the board of the school division in which the foster parent resides, unless subsection (5) applies, and

(5) A child intervention worker under the Child, Youth and Family Enhancement Act may deem a student to be a resident student of the board that represents the faith of the student if

(a) the student is in the care of a foster parent under the Child, Youth and Family Enhancement Act,

- (b) *the faith of the student, whether Protestant or Roman Catholic, differs from the faith of the foster parent, and*
- (c) *the foster parent resides in an area where a separate school district has been established.*

(3) This section comes into force on Proclamation.

NOTE: (3) Coming into force.

Protection Against Family Violence Act

Amends RSA 2000 cP-27

3(1) The *Protection Against Family Violence Act* is amended by this section.

NOTE: 3(1) Amends chapter P-27 of the Revised Statutes of Alberta 2000.

(2) Section 1(1) is amended

- (a) **by repealing clauses (a.1) to (a.3), (f.1) to (f.3) and (g.1);**
- (b) **in clause (h.1)(i) by striking out “*Protection of Privacy Act*” and substituting “*Access to Information Act*”;**
- (c) **by repealing clause (j.1).**

NOTE: (2) Section 1(1) presently reads in part:

1(1) In this Act,

- (a.1) *“Committee” means the Family Violence Death Review Committee established under section 15;*
- (a.2) *“custodian” means a custodian as defined in the Health Information Act;*

- (a.3) *“Department” means the department of the Government of Alberta that is administered by the Minister;*
- (f.1) *“health information” means health information as defined in the Health Information Act;*
- (f.2) *“Minister” means the Minister determined under section 16 of the Government Organization Act as the Minister responsible for this Act;*
- (f.3) *“personal information” means personal information as defined in the Protection of Privacy Act;*
- (g.1) *“public body” means a public body as defined in the Protection of Privacy Act;*
- (h.1) *“record” means*
 - (i) *a record as defined in the Protection of Privacy Act, and*
- (j.1) *“review” means a review under section 16(a);*

(3) Part 2 is repealed.

NOTE: (3) Part 2 presently reads:

Part 2
Family Violence Death Reviews

15(1) The Minister may establish a Family Violence Death Review Committee.

- (2) *The Minister may, with respect to the Committee,*
 - (a) *appoint or provide for the manner of the appointment of its members,*
 - (b) *prescribe the term of office of any member,*
 - (c) *designate a chair, and*

(d) authorize or provide for the payment of remuneration and expenses of its members.

(3) In appointing members to the Committee the Minister shall ensure the Committee includes persons with knowledge and expertise in the area of family violence.

(4) A member of the Committee continues to hold office after the expiry of that member's term of office until the member is reappointed, a successor is appointed or a period of 3 months has expired, whichever occurs first.

(5) Subject to this Part, the Committee may determine its own procedures.

16 The role of the Committee is

(a) to review incidents of family violence resulting in deaths;

(b) to provide advice and recommendations to the Minister respecting the prevention and reduction of family violence.

17(1) The Committee is entitled to any information, including personal information and health information, that

(a) is in the custody or under the control of a public body or custodian, and

(b) is necessary to enable the Committee to carry out a review.

(2) A public body or a custodian that is a public body shall, on request of the Committee, disclose to the Committee the information to which the Committee is entitled under subsection (1).

(3) A custodian that is not a public body may, on request of the Committee, disclose to the Committee the information to which the Committee is entitled under subsection (1).

(4) Nothing in this section compels the disclosure of any information or records that are subject to any type of privilege, including solicitor-client privilege and parliamentary privilege.

18(1) On completing a review, the Committee shall prepare a written report containing

- (a) its findings respecting the incident that is the subject of the review, and*
- (b) its advice and recommendations to the Minister.*

(1.1) In providing the advice and recommendations referred to in subsection (1)(b), the Committee shall consider any recommendations made by the Child and Youth Advocate in a report made available by the Advocate under section 15.4 of the Child and Youth Advocate Act respecting a death arising from the same incident in respect of which a report is prepared under subsection (1).

(2) The findings of the Committee must not include any findings of legal responsibility or any conclusion of law.

(3) The Committee shall

- (a) provide the report prepared under subsection (1) to the Minister but shall not disclose it to any other person or body, and*
- (b) prepare and provide to the Minister a publicly releasable version of the report.*

(4) For the purposes of subsection (3)(b), a publicly releasable version of a report must not disclose the name of, or any identifying information about, the individual whose death is the subject of the review or any other individual involved in the death.

(5) The Minister shall make the publicly releasable version of the report public at a time and in a form and manner the Minister considers appropriate.

19(1) As soon as possible after the end of each year, the Committee shall prepare and provide to the Minister a report summarizing the activities of the Committee in that year.

(2) On receiving a report under subsection (1), the Minister shall table the report in 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.

20 A member of the Committee shall not give or be compelled to give evidence in an action in respect of any matter coming to his or her knowledge in the course of a review, except in a prosecution for perjury.

21 The following information, records and reports are privileged and not admissible in evidence in an action, except in a prosecution for perjury:

- (a) anything said, any information supplied and any record produced during a review;*
- (b) a report prepared under section 18(1) and provided to the Minister under section 18(3)(a).*

22(1) Subject to subsection (2), no action lies or may be commenced or maintained against

- (a) the Committee, or*
- (b) a member of the Committee*

in respect of anything done or omitted to be done in the exercise or intended exercise of any power under this Part or in the performance or intended performance of any duty or function under this Part.

(2) Subsection (1) does not apply in respect of anything done, or omitted to be done, in bad faith.

23 The Lieutenant Governor in Council may make regulations

- (a) defining any word or expression used in this Part but not defined in this Part;*
- (b) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Part.*

(4) This section comes into force on Proclamation.

NOTE: (4) Coming into force.

Protection of Sexually Exploited Children Act

Amends RSA 2000 cP-30.3

4(1) The *Protection of Sexually Exploited Children Act* is amended by this section.

NOTE: 4(1) Amends chapter P-30.3 of the Revised Statutes of Alberta 2000.

(2) The preamble is amended

(a) by repealing the 2nd recital and substituting the following:

WHEREAS children who are experiencing or who are at risk of sexual abuse and sexual exploitation are in need of protection;

(b) by repealing the 6th recital and substituting the following:

WHEREAS the Government of Alberta is committed to protecting children from sexual abuse, sexual exploitation and the risk of sexual abuse and sexual exploitation;

NOTE: (2) The 2nd and 6th recitals of the preamble presently read:

WHEREAS children engaged in prostitution are victims of sexual abuse and sexual exploitation and require protection;

WHEREAS the Government of Alberta is committed to assisting children in ending their involvement with prostitution;

(3) Section 1 is amended

(a) in subsection (1) by adding the following after clause (g):

- (h) “sexual exploitation” includes coercing, luring or engaging a child, whether in person or by electronic means, into a sexual act, the trading of sexual acts or the making or distributing of sexual abuse material or sexual exploitation material in exchange for money, drugs or alcohol, shelter, food, protection or any real or perceived social or economic benefit to the child, regardless of whether the child is perceived to be a willing participant.

(b) by repealing subsection (2) and substituting the following:

(2) For the purposes of this Act, a child is in need of protection if

- (a) the child is being sexually exploited, or
- (b) it is reasonably foreseeable that the child is at risk of sexual exploitation.

NOTE: (3) Section 1 presently reads in part:

(2) For the purposes of this Act, a child is in need of protection if the child is sexually exploited because the child is engaging in prostitution or attempting to engage in prostitution.

(4) Section 2(9) is repealed and the following is substituted:

(9) Notwithstanding subsection (1), if a police officer or director has reasonable and probable grounds to believe that a person is a child and that the child’s life or safety is seriously and imminently endangered because the child is being sexually exploited or it is reasonably foreseeable that the child is at risk of sexual exploitation, the police officer or director may apprehend and convey the child to a protective safe house without an order.

NOTE: (4) Section 2(9) presently reads:

(9) Notwithstanding subsection (1), if a police officer or director has reasonable and probable grounds to believe that a person is a child and that the child’s life or safety is seriously and imminently endangered because the child is

engaging in prostitution or attempting to engage in prostitution, the police officer or director may apprehend and convey the child to a protective safe house without an order.

(5) Section 3(4)(a) is amended by striking out “because the child is unable or unwilling to stop engaging in or attempting to engage in prostitution”.

NOTE: (5) Section 3(4)(a) presently reads:

(4) If, on an application under subsection (2), the Court is satisfied that

(a) release of the child from a protective safe house presents a risk to the life or safety of the child because the child is unable or unwilling to stop engaging in or attempting to engage in prostitution,

the Court may make an order for further confinement of the child to a protective safe house for up to 21 days.

(6) Section 6 is amended

(a) in subsection (1)

(i) by striking out “or” at the end of clause (a);

(ii) by repealing clause (b) and substituting the following:

(b) has sexually exploited or is likely to sexually exploit the child, or

(c) has encouraged or is likely to encourage the child to engage in an activity that would lead to the child being sexually exploited or at risk of sexual exploitation,

(b) in subsection (2)

- (i) **by striking out** “to assist the child in ending involvement in prostitution” **and substituting** “under section 7”;
- (ii) **by striking out** “or” **at the end of clause (a);**
- (iii) **by repealing clause (b) and substituting the following:**
 - (b) has sexually exploited or is likely to sexually exploit the child, or
 - (c) has encouraged or is likely to encourage the child to engage in an activity that would lead to the child being sexually exploited or at risk of sexual exploitation,

NOTE: (6) Section 6 presently reads:

6(1) If a child is confined under this Act and a director has reasonable and probable grounds to believe that a person

- (a) has physically or emotionally injured or sexually abused or is likely to physically or emotionally injure or sexually abuse the child within the meaning of the Child, Youth and Family Enhancement Act, or*
- (b) has encouraged or is likely to encourage the child to engage in prostitution,*

the director may apply to the Court of King’s Bench for an order restraining that person from contacting the child or associating in any way with the child.

(2) If a child is participating voluntarily in a program to assist the child in ending involvement in prostitution and the child or the child’s guardian has reasonable and probable grounds to believe that a person

- (a) has physically or emotionally injured or sexually abused or is likely to physically or emotionally injure or sexually abuse the child within the meaning of the Child, Youth and Family Enhancement Act, or*

(b) *has encouraged or is likely to encourage the child to engage in prostitution,*

the child or the child's guardian may apply to the Court of King's Bench for an order restraining that person from contacting the child or associating in any way with the child.

(7) Section 7 is repealed and the following is substituted:

Programs

7 The Minister may establish programs that in the opinion of the Minister are necessary to

- (a) protect children and persons described in section 7.2 from sexual exploitation or the risk of sexual exploitation, or
- (b) provide support or recovery services to children and persons described in section 7.2 who are survivors of sexual exploitation.

NOTE: (7) Section 7 presently reads:

7 The Minister may establish programs that in the opinion of the Minister are necessary to assist children and persons described in section 7.2 in ending their involvement in prostitution.

(8) This section comes into force on Proclamation.

NOTE: (8) Coming into force.

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