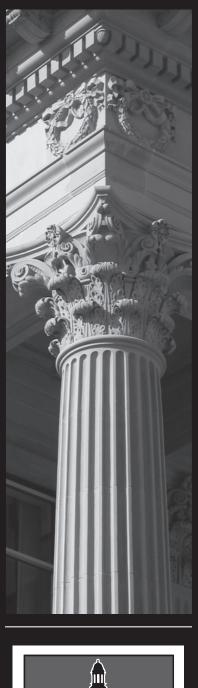
LEGISLATIVE ASSEMBLY OF ALBERTA





Standing Committee on Legislative Offices

Review of the Proposed Amendment to the Publication Ban(Court Applications and Orders) Regulation

July 2022

Standing Committee on Legislative Offices 3rd Floor – Federal Building 9820 107 Street NW Edmonton, Alberta T5K 1E7 780.644.8621 Committee.Admin@assembly.ab.ca



STANDING COMMITTEE ON LEGISLATIVE OFFICES

July 2022

To the Honourable Nathan M. Cooper Speaker of the Legislative Assembly of the Province of Alberta

The Standing Committee on Legislative Offices has the honour to submit its report relating to the review of the proposed amendment to the *Publication Ban (Court Applications and Orders) Regulation* for the information of the Legislative Assembly.

Sincerely,

Brad Rutherford, MLA Chair, Standing Committee on Legislative Offices **Table of Contents**

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MEMBERS OF THE STANDING COMMITTEE ON LEGISLATIVE OFFICES 30th Legislature, Third Session

Hon. Brad Rutherford, MLA Chair Leduc-Beaumont (UC)

Hon. Nicholas Milliken, MLA Deputy Chair Calgary-Currie (UC)

Hon. Tracy L. Allard, MLA^{*} Grande Prairie (UC)

Hon. Joe Ceci, MLA Calgary-Buffalo (NDP)

Lorne Dach, MLA Edmonton-McClung (NDP)

Martin M. Long, MLA West Yellowhead (UC)

Rod Loyola, MLA Edmonton-Ellerslie (NDP) Miranda D. Rosin, MLA Banff-Kananaskis (UC)

David Shepherd, MLA Edmonton-City Centre (NDP)

Mark W. Smith, MLA Drayton Valley-Devon (UC)

Glenn van Dijken, MLA Athabasca-Barrhead-Westlock (UC)

Substitutions Pursuant to Standing Order 56(2.1-2.4):

Hon. Grant R. Hunter, MLA[†] Taber-Warner (UC)

Marie F. Renaud, MLA[‡] St. Albert (NDP)

Garth Rowswell, MLA§ Vermilion-Lloydminster-Wainwright

Joseph R. Schow, MLA** Cardston-Siksika (UC)

^{*} Substitution as Deputy Chair for Hon. Nicholas Milliken on July 5, 2022.

[†] Substitution for Miranda Rosin on July 5, 2022.

[‡] Substitution for Lorne Dach on July 5, 2022.

[§] Substitution as committee member for Hon. Nicholas Milliken on July 5, 2022.

[&]quot; Substitution as Chair for Hon. Brad Rutherford on July 5, 2022.

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1.0 INTRODUCTION

Section 131(1)(d.1) of the *Child, Youth and Family Enhancement Act* gives the Lieutenant Governor in Council the power to make regulations respecting court applications under section 126.3. All such regulations must be considered by an all-party committee of the Legislative Assembly prior to their enactment, pursuant to section 131.1.

On May 25, 2022, the Assembly agreed to Government Motion 30:

Be it resolved that

- (a) the Standing Committee on Legislative Offices is the all-party committee of the Legislative Assembly, as referred to in section 131.1 of the *Child, Youth and Family Enhancement Act*, for the purpose of considering a draft amendment to section 8 of the *Publication Ban (Court Applications and Orders) Regulation* proposed to be made under section 131(1)(d.1) of that Act,
- (b) the Committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned or prorogued, and
- (c) the Committee must submit its report to the Assembly within 3 months of the day on which it commences its consideration of the draft regulation.

In a letter dated June 6, 2022, the Minister of Children's Services informed the Standing Committee on Legislative Offices of the pending expiry date of the Regulation and the intention to extend the expiry date for five years, from September 30, 2022, to September 30, 2027.

2.0 SUMMARY OF COMMITTEE RECOMMENDATIONS

The Standing Committee on Legislative Offices made no recommendations with respect to the draft amendment to the *Publication Ban (Court Applications and Orders) (Expiry Date Extension) Regulation*.

3.0 COMMITTEE ACTIVITIES

The Committee met on July 5, 2022, to conduct its review.

4.0 RECOMMENDATIONS OF THE STANDING COMMITTEE ON LEGISLATIVE OFFICES

At its meeting on July 5, 2022, the Committee approved the following motion:

Moved by Mr. Smith that the Standing Committee on Legislative Offices confirm that it has considered and supports, in accordance with section 131.1 of the *Child, Youth and Family Enhancement Act*, the draft *Publication Ban (Court Applications and Orders) (Expiry Date Extension) Amendment Regulation* as set out in the letter of the Minister of Children's Services to the Chair of the Committee dated June 6, 2022.

5.0 APPENDICES

Appendix A: Letter from the Minister of Children's Services



Office of the Minister MLA, Calgary-Shaw

June 6, 2022

Mr. Brad Rutherford Chair Standing Committee on Legislative Offices Legislative Branch 3rd Floor Federal Building 9820 - 107 Street Edmonton AB T5K 1E7

Dear Mr. Rutherford:

As Minister of Children's Services, I am pleased to provide the draft amendment to section 8 of the Publication Ban (Court Applications and Orders) Regulation for the Standing Committee on Legislative Offices' review.

On May 25, 2022, the Legislative Assembly passed government motion 30, referring section 8 of the Publication Ban to the Legislative Offices committee. Section 131(1) (d.1) of the *Child, Youth and Family Enhancement Act* stipulates any changes to the regulations under the Act must be considered by an all party committee of the Legislative Assembly.

As the Publication Ban is set to expire on September 30, 2022, the enclosed amendment renews the expiration date to September 30, 2027. As this expiration date approaches, I request that the committee consider the regulation as soon as possible.

While it is uncommon for a regulatory renewal to appear before a committee of the assembly, I am committed to transparency and following the process established in the Act and the precedent established by my late predecessor, Manmeet Bhullar.

Sincerely,

Rebecca Schulz (Minister of Children's Services

403 Legislature Building, Edmonton, Alberta T5K 2B6 Canada Telephone 780-644-5255 Fax 780-644-6817

CONFIDENTIAL

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APPENDIX

Child, Youth and Family Enhancement Act

PUBLICATION BAN (COURT APPLICATIONS AND ORDERS) (EXPIRY DATE EXTENSION) AMENDMENT REGULATION

1 The *Publication Ban (Court Applications and Orders) Regulation* (AR 207/2014) is amended by this Regulation.

2 Section 8 is amended by striking out "September 30, 2022" and substituting "September 30, 2027".

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