



Twenty-Seventh Legislature
First Session



Standing Committee on Public Safety and Services

October 2008

Report on Bill 10: *Security Services and Investigators Act*



Standing Committee on Public Safety and Services

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October, 2008

To the Honourable Ken Kowalski
Speaker of the Legislative Assembly of Alberta

The Standing Committee on Public Safety and Services has the honour to submit its Report containing recommendations on Bill 10, *Security Services and Investigators Act*, for consideration by the Legislative Assembly of Alberta.

George VanderBurg, MLA
Whitecourt-Ste. Anne
Chair
Standing Committee on Public Safety and Services

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27th Legislature, First Session

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Calgary-Mackay (PC)

**Substitutions pursuant to Temporary
Standing Order 56 (2.1-2.4)**

Naresh Bhardwaj, MLA
Edmonton-Ellerslie (PC)

Genia Leskiw, MLA
Bonnyville-Cold Lake (PC)

1.0 Introduction

Bill 10, *Security Services and Investigators Act*, was introduced and received first reading on May 8, 2008. It was referred to the Standing Committee on Public Safety and Services (the "Committee") on May 21, 2008.

2.0 Order of Reference

Excerpt from the *Votes and Proceedings of the Legislative Assembly of Alberta*, Wednesday, May 21, 2008:

Government Bills and Orders

Second Reading

On the motion that the following Bill be now read a Second time:

Bill 10 Security Services and Investigators Act — Mr. Anderson

A debate followed.

Hon. Mr. Zwozdesky, Deputy Government House Leader, moved the motion be amended by deleting all the words after "that" and substituting the following:

Bill 10, Security Services and Investigators Act, be not now read a Second time but that the subject-matter of the Bill be referred to the Standing Committee on Public Safety and Services in accordance with temporary Standing Order 74.2, and that the committee report the Bill back to the Assembly no later than the fourth week of October 2008.

A debate followed on the amendment.

The question being put, the amendment was agreed to.

3.0 Recommendations

Pursuant to Standing Order 74.2(1)

when a Bill is referred to a Policy Field Committee after first reading, the committee may conduct public hearings on the subject matter of the Bill and report its observations, opinions and recommendations with respect to the Bill to the Assembly.

The Standing Committee on Public Safety and Services recommends that Bill 10 proceed with the following observations, opinions and recommendations:

Security Alarm Responders (s. 7)

- The Committee recommends that section 7 be clarified to indicate that the intention of the section is not to capture retail workers who respond to security alarms on behalf of their employers.

Business Licensee Obligations (s.19(d))

- The Committee recommends that the words “or the allegation of use of excessive force” in section 19(d) be struck out and that a provision be drafted that requires (a) a business licensee to advise the Registrar of an allegation that an individual licensee employed or engaged by the business licensee has committed a criminal offence (where that allegation is sworn in an information) and (b) a business licensee to keep a record of any material use of force by an individual licensee employed or engaged by the business licensee (with no reporting requirement).

Appeal Process (ss.20-28)

- The Committee recommends that the last level of appeal for applicants, complainants and licensees be a reconsideration by the Registrar, with the result that the Director, as defined in the Bill, and the Law Enforcement Review Board will not be involved in hearing appeals under the proposed legislation. For further clarity, it is recommended that the appeal structure be as follows:

Complaint against individual licensee:

Employer → Registrar → Reconsideration by Registrar

Complaint against business licensee:

Registrar → Reconsideration by Registrar

Licence applications, renewals, suspensions and cancellations:

Registrar → Reconsideration by Registrar

Out-of-province Workers

- The Committee recommends that Bill 10 include an exemption from the licence requirements for persons licensed in other jurisdictions where that jurisdiction has a reciprocal agreement with Alberta allowing for the recognition of such licences.

Appendix A: List of Submitters

The Standing Committee on Public Safety and Services invited stakeholders to make written submissions on Bill 10, *Security Services and Investigators Act*. The Committee received 15 written submissions.

List of Submitters

Name	Organization
John Dooks	Calgary Police Association
Don Wilkinson	Alberta Association of Private Investigators (AAPI)
Roy Merritt	M.R. Security & Investigations Ltd.
Kevin Roberts	Canadian Corps of Commissionaires (Northern Alberta)
Peter Ratcliff	Edmonton Police Association
Bruce K. Dunne	Maxim Research & Consulting Corporation Ltd. (MRCC)
Confidential	Confidential
Dave Rourke	Private Citizen
David L. Ray	Grant Thornton LLP
Ramona Murton (on behalf of Bob Preston)	Deloitte & Touche LLP
Nancy Hughes Anthony	Canadian Bankers Association
Peter Pilarski	Retail Council of Canada (RCC)
Cam Holowaychuk	Security Information Co-operating Agency
Michael Dungey	Alberta Federation of Police Associations (AFPA)
Barry Sharkey	Beretta Protective Services International Inc.