



Province of Alberta

ELECTORAL BOUNDARIES COMMISSION ACT

Revised Statutes of Alberta 2000
Chapter E-3

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

Definition

1 In this Act, “Commission” means an Electoral Boundaries
Commission appointed pursuant to section 2.

1990 cE-4.01 s1

Part 1

Electoral Boundaries Commissions

Electoral Boundaries Commission

2(1) From time to time as required by this Act, an Electoral Boundaries Commission is to be appointed consisting of

- (a) a chair appointed by the Lieutenant Governor in Council, who must be one of the following:
 - (i) the Ethics Commissioner;
 - (ii) the Auditor General;
 - (iii) the president of a post-secondary educational institution in Alberta;
 - (iv) a judge or retired judge of any court in Alberta;
 - (v) a person whose stature and qualifications are, in the opinion of the Lieutenant Governor in Council, similar to those of the persons referred to in subclauses (i) to (iv),
- (b) 2 persons, who are not members of the Legislative Assembly, appointed by the Speaker of the Legislative Assembly on the nomination of the Leader of Her Majesty's loyal opposition in consultation with the leaders of the other opposition parties represented in the Legislative Assembly, and
- (c) 2 persons, who are not members of the Legislative Assembly, appointed by the Speaker of the Legislative Assembly on the nomination of the President of the Executive Council.

(2) The Chief Electoral Officer is to provide advice, information and assistance to the Commission.

(3) With respect to the persons appointed under subsection (1)(b), one must be resident in a city and the other resident outside a city at the time of their appointment.

(4) With respect to the persons appointed under subsection (1)(c), one must be resident in a city and the other resident outside a city at the time of their appointment.

(5) Persons appointed under subsection (1) must be Canadian citizens, residents of Alberta and at least 18 years of age.

1990 cE-4.01 s2;1995 c10 s2

Function

3 The function of a Commission is to review the existing electoral boundaries established under the *Electoral Divisions Act* and to make proposals to the Legislative Assembly as to the area, boundaries and names of the electoral divisions of Alberta in accordance with the rules set out in Part 2.

1990 cE-4.01 s3;1995 c10 s3

Remuneration

4(1) The members of a Commission may be paid the remuneration prescribed by the Lieutenant Governor in Council for their services on the Commission.

(2) The members of a Commission may be paid their reasonable travelling and living expenses while away from their ordinary place of residence in the course of their duties as members at the rates the Lieutenant Governor in Council prescribes.

1990 cE-4.01 s4

Time of appointment

5(1) A Commission is to be appointed on or before October 31, 2016.

(2) Subsequent Commissions are to be appointed during the first session of the Legislature following every 2nd general election after the appointment of the last Commission.

(3) Notwithstanding subsection (2), if less than 8 years has elapsed since the appointment of the last Commission, the Commission is to be appointed

- (a) no sooner than 8 years, and
- (b) no later than 10 years

after the appointment of the last Commission.

RSA 2000 cE-3 s5;2001 c23 s3;2009 c19 s2;2016 c6 s2

Report to Speaker

6(1) The Commission shall, after considering any representations to it and within 7 months of the date on which the Commission is appointed, submit to the Speaker of the Legislative Assembly a report that shall set out the area, boundaries and names of the proposed electoral divisions and reasons for the proposed boundaries of the proposed electoral divisions.

(2) On receipt of the report, the Speaker shall make the report public and publish the Commission's proposals in The Alberta Gazette as soon as possible.

(3) If the office of Speaker is vacant, the report shall be submitted to the Clerk of the Legislative Assembly, who shall comply with subsection (2).

1990 cE-4.01 s6;1995 c10 s5

Public hearings

7(1) The Commission must hold public hearings both

- (a) before its report is submitted to the Speaker, and
- (b) after its report has been made public,

at the places and times it considers appropriate to enable representations to be made by any person as to the area and boundaries of any proposed electoral division.

(2) The Commission shall give reasonable public notice of the time, place and purpose of any public hearings held by it.

1990 cE-4.01 s7;1993 c2 s8

Amendment of report

8(1) The Commission may, after considering any further representations made to it and within 5 months of the date it submitted its report, submit to the Speaker a final report.

(2) On receipt of the report, the Speaker shall make it public and publish it in The Alberta Gazette.

(3) If the office of Speaker is vacant, the report shall be submitted to the Clerk of the Legislative Assembly, who shall comply with subsection (2).

1990 cE-4.01 s8;1995 c10 s6

Commission report

9 If there is more than one report submitted under section 6 or 8, the report of a majority of the members of the Commission is the report of the Commission, but if there is no majority, the report of the chair is the report of the Commission.

1995 c10 s7

Report to Assembly

10 After the Commission has complied with sections 6 to 8, the final report of the Commission shall,

- (a) if the Legislative Assembly is sitting when the report is submitted, be laid before the Assembly immediately, or

- (b) if the Legislative Assembly is not then sitting, be laid before the Assembly within 7 days after the beginning of the next sitting.

1990 cE-4.01 s9;1995 c10 s8

New electoral divisions

11(1) If the Assembly, by resolution, approves or approves with alterations the proposals of the Commission, the Government shall, at the same session, introduce a Bill to establish new electoral divisions for Alberta in accordance with the resolution.

(2) The Bill is to be stated to come into force on the day that a writ is issued under section 40 of the *Election Act* for the next general election.

RSA 2000 cE-3 s11;2010 cE-4.2 s6

Part 2 Redistribution Rules

Population of Alberta

12(1) For the purposes of this Part, the population of Alberta is to be determined by the Commission in accordance with this section.

(2) In this section, “decennial census” means the most recent decennial census of population referred to in section 19(3) of the *Statistics Act* (Canada) from which the population of all proposed electoral divisions is available.

(3) Subject to subsections (4) and (5), the Commission is to use

- (a) the population information as provided in the decennial census, and
- (b) information respecting the population on Indian reserves that are not included in the decennial census, as provided by the Department of Indian Affairs and Northern Development (Canada).

(4) If there is a province-wide census that is more recent than the decennial census and from which the population of all proposed electoral divisions is available, the Commission is to use

- (a) the population information as provided in the province-wide census, and
- (b) information respecting the population on Indian reserves that are not included in the province-wide census, as provided by the Department of Indian Affairs and Northern Development (Canada).

(5) The Commission may, as it considers appropriate, use more recent information respecting the population of all or any part of Alberta in conjunction with the information referred to in subsection (3) or (4).

RSA 2000 cE-3 s12;2009 c19 s3;2016 c6 s3

Electoral divisions

13 The Commission shall divide Alberta into 87 proposed electoral divisions.

RSA 2000 cE-3 s13;2009 c19 s4

Relevant considerations

14 In determining the area to be included in and in fixing the boundaries of the proposed electoral divisions, the Commission, subject to section 15, may take into consideration any factors it considers appropriate, but shall take into consideration

- (a) the requirement for effective representation as guaranteed by the *Canadian Charter of Rights and Freedoms*,
- (b) sparsity and density of population,
- (c) common community interests and community organizations, including those of Indian reserves and Metis settlements,
- (d) wherever possible, the existing community boundaries within the cities of Edmonton and Calgary,
- (e) wherever possible, the existing municipal boundaries,
- (f) the number of municipalities and other local authorities,
- (g) geographical features, including existing road systems, and
- (h) the desirability of understandable and clear boundaries.

1990 cE-4.01 s16;1993 c2 s12;1995 c10 s12

Population of electoral divisions

15(1) The population of a proposed electoral division must not be more than 25% above nor more than 25% below the average population of all the proposed electoral divisions.

(2) Notwithstanding subsection (1), in the case of no more than 4 of the proposed electoral divisions, if the Commission is of the opinion that at least 3 of the following criteria exist in a proposed electoral division, the proposed electoral division may have a population that is as much as 50% below the average population of all the proposed electoral divisions:

- (a) the area of the proposed electoral division exceeds 20 000 square kilometres or the total surveyed area of the proposed electoral division exceeds 15 000 square kilometres;
 - (b) the distance from the Legislature Building in Edmonton to the nearest boundary of the proposed electoral division by the most direct highway route is more than 150 kilometres;
 - (c) there is no town in the proposed electoral division that has a population exceeding 8000 people;
 - (d) the area of the proposed electoral division contains an Indian reserve or a Metis settlement;
 - (e) the proposed electoral division has a portion of its boundary coterminous with a boundary of the Province of Alberta.
- (3)** For the purpose of subsection (2)(c), The Municipality of Crowsnest Pass is not a town.

RSA 2000 cE-13 s15;2009 c19 s5



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