



Province of Alberta

SOCIAL CARE FACILITIES REVIEW COMMITTEE ACT

Revised Statutes of Alberta 2000
Chapter S-11

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Alberta Queen's Printer
7th Floor, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

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SOCIAL CARE FACILITIES REVIEW COMMITTEE ACT

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

Definitions

1 In this Act,

- (a) “Committee” means the Social Care Facilities Review Committee and includes a subcommittee established under section 3;
- (b) “facility” means

- (i) a facility that provides care, treatment or shelter and that is funded, wholly or partly, by the Department of Children's Services, and
- (ii) the premises where a child care program that is licensed under the *Child Care Licensing Act* is offered or provided;
- (c) "Minister" means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

RSA 2000 cS-11 s1;2002 c24 s2;2007 cC-10.5 s29

Social Care Facilities Review Committee

2(1) There is hereby established a committee called the "Social Care Facilities Review Committee" consisting of not more than 12 members appointed by the Lieutenant Governor in Council.

(2) The members of the Committee appointed under subsection (1) may include members of the Legislative Assembly who are not members of the Executive Council.

(3) An order under subsection (1) appointing a member of the Committee may provide for the member's term of office but in the absence of that provision, the term of office of a member is one year from the effective date of the member's appointment and afterwards until the member's successor is appointed.

(4) The Lieutenant Governor in Council shall designate one of the members of the Committee as chair and another as a vice-chair and, unless the order otherwise provides, the term of office of a chair or vice-chair so designated is to be one year from the effective date of the designation and afterwards until their respective successors are designated.

(5) The vice-chair is to be the acting chair of the Committee in the event of the absence or inability to act of the chair or a vacancy in the office of chair.

RSA 1980 cS-15 s2

Subcommittees

3(1) The Committee may

- (a) establish one or more subcommittees to perform any duties and functions and exercise any powers of the Committee prescribed by the Committee, and
- (b) appoint as members of a subcommittee not less than 3 members of the Committee.

- (2) When a subcommittee is established, the Committee shall designate a member of a subcommittee to preside over the subcommittee.
- (3) A member of the Committee may be appointed to more than one subcommittee.
- (4) A majority of the members appointed to a subcommittee constitutes a quorum of the subcommittee.
- (5) A decision or other action made or taken by a subcommittee at which its quorum is present is the decision or action of the Committee and binds all members of the Committee.
- (6) Two or more subcommittees may act simultaneously.
- (7) If a subcommittee is performing a duty or function or exercising its powers and one or more members of the subcommittee is absent during a portion of the time that the subcommittee is performing a duty or function or exercising a power, the remaining members of the subcommittee that are present may, if they constitute a quorum of the subcommittee, perform the duty or function and exercise the power of the subcommittee.
- (8) Notwithstanding that a subcommittee is established under this section, the Committee may also perform any duty or function or exercise any power that it prescribed the subcommittee to perform or exercise.

RSA 1980 cS-15 s3

Remuneration and expenses

- 4** The Lieutenant Governor in Council
- (a) may prescribe the rates of remuneration payable to members of the Committee other than those who are employees of the Government or members or employees of an agency of the Government, and
 - (b) may authorize the payment of travelling and living expenses for members of the Committee while outside their normal place of residence in the course of performing their duties.

RSA 1980 cS-15 s4

Staff

- 5(1)** The Minister may appoint an employee of the Government under the Minister's administration as the Executive Director of the Committee who shall, under the direction of the chair of the

Committee, assist the Committee in carrying out its duties and functions and exercising its powers.

(2) The Minister shall provide to the Committee the services of employees of the Government under the Minister's administration and supplies for the purpose of carrying out secretarial, clerical and related work that the Committee may reasonably require to enable it to carry out its duties and functions and exercise its powers.

RSA 1980 cS-15 s5

Directions to Committee

5.1(1) The Minister may provide directions to the Committee, through the chair, relating to the Committee's duties under section 7.

(2) The chair of the Committee shall ensure that the Committee complies with any directions provided by the Minister under subsection (1).

2002 c24 s3

Committee meetings

6 The Committee may, with the approval of the Lieutenant Governor in Council, make rules governing the calling of its meetings, the quorum required at its meetings, the procedures at its meetings and any other matter relating to the conduct of its business and affairs.

RSA 1980 cS-15 s6

Mandate of Committee

7(1) The Committee shall visit each facility from time to time to review the quality of service provided in the facility and the manner in which the facility is operated.

(2) The Minister may direct the Committee to visit a facility to investigate a matter specified by the Minister relating to the facility.

RSA 2000 cS-11 s7;2002 c24 s4

8 Repealed 2002 c24 s5.

Right of entry

9 For the purpose of carrying out a visit or an investigation under this Act, the Committee may enter a facility at any reasonable hour.

RSA 1980 cS-15 s9

Inspection of records

10(1) The Committee, with respect to a visit or an investigation under this Act, is entitled to access to the records of the facility for the purpose of inspecting them, making copies of them or taking extracts from them.

(2) Subsection (1) does not apply to

- (a) the financial records of the facility that relate to the operation of the facility, or
- (b) the medical or clinical records of a person unless that person or that person's guardian consents to those records being inspected.

RSA 1980 cS-15 s10

Financial affairs

11 Nothing in this Act shall be construed as empowering the Committee or other person acting under this Act to inquire into the financial affairs of the facility that relate to the operation of the facility.

RSA 1980 cS-15 s11

Authority of member to act for Committee

12(1) The Committee may authorize a member of the Committee to carry out a visit or investigation on behalf of the Committee.

(2) When a member of the Committee carries out a visit or investigation under subsection (1), the member shall provide a report to the Committee relating to the visit or investigation.

RSA 2000 cS-11 s12;2002 c24 s6

13 Repealed 2002 c24 s7.

Powers of Committee member

14 A member of the Committee who carries out a visit or investigation on behalf of the Committee has the powers that the Committee would have if it were carrying out the visit or investigation.

RSA 2000 cS-11 s14;2002 c24 s8

Court order

15(1) If the Committee or a member of the Committee acting on behalf of the Committee is refused entry to a facility for the

purposes of carrying out a visit or an investigation, the chair of the Committee or a person designated by the chair may apply to the Court of Queen's Bench for an order permitting the Committee or Committee member

- (a) to enter the facility at any reasonable hour and carry out the visit or investigation, and
- (b) to require the production of any records of the facility, other than those referred to in section 10(2).

(2) An application under subsection (1) may be made ex parte, if the Court considers it proper to do so in the circumstances.

RSA 2000 cS-11 s15;2002 c24 s9;2009 c53 s171

Report of visit or investigation

15.1 On the completion of a visit or investigation, the Committee shall, through the chair, prepare and submit to the Minister a report relating to the visit or investigation.

2002 c24 s10

Annual report

16(1) As soon as possible after the end of each year, the Committee shall, through the chair, prepare and submit to the Minister a report summarizing its activities in that year.

(2) On receiving a report under subsection (1), the Minister shall lay a copy of the report before the Legislative Assembly if it is then in session, and if not, within 15 days after the commencement of the next session.

RSA 2000 cS-11 s16;2002 c24 s11

Act binds Crown

17 This Act binds the Crown.

RSA 1980 cS-15 s17



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