



Province of Alberta

ADVOCATE FOR PERSONS WITH DISABILITIES ACT

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Chapter A-5.5

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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) “Advocate” means the Advocate for Persons with Disabilities appointed under section 2(1);
 - (b) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

Appointment of Advocate for Persons with Disabilities

- 2(1) The Lieutenant Governor in Council shall appoint an Advocate for Persons with Disabilities to carry out the role, duties and functions and exercise the powers set out in this Act and the regulations.
- 2(2) The Minister may authorize and provide for the payment of the remuneration and expenses of the Advocate and of the office and staff of the Advocate.

(3) In accordance with the *Public Service Act*, there may be appointed any employees required to assist the Advocate in performing the Advocate's role, duties and functions and exercising the Advocate's powers under this Act.

Role and functions of Advocate

3(1) The role of the Advocate is to represent the rights, interests and viewpoints of persons with disabilities.

(2) In carrying out the role of the Advocate under subsection (1), the Advocate may

- (a) identify and study issues of concern to persons with disabilities and recommend action where appropriate;
- (b) review programs and policies affecting persons with disabilities;
- (c) participate in consultations in which systemic decisions are made about persons with disabilities;
- (d) promote the rights, interests and well-being of persons with disabilities through public education;
- (e) provide information and advice to the Government with respect to any matter relating to the rights, interests and well-being of persons with disabilities;
- (f) provide education as needed to ensure individuals having difficulty accessing services and related programs for persons with disabilities are aware of appropriate resources, persons and organizations;
- (g) perform any other function prescribed in the regulations;
- (h) exercise any other power prescribed in the regulations.

Annual report

4(1) As soon as possible after the end of each year, the Advocate shall prepare and submit to the Minister a report summarizing the Advocate's 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 sitting or, if not, within 15 days after the commencement of the next sitting.

Regulations

- 5** The Lieutenant Governor in Council may make regulations
- (a) prescribing other functions of the Advocate;
 - (b) prescribing other powers of the Advocate;
 - (c) defining any word or expression used but not defined in this Act;
 - (d) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary for carrying out the intent of this Act.

Review of Act

- 6(1)** Within 2 years of the Advocate's appointment under section 2(1), the Advocate shall prepare a report evaluating the effectiveness of this Act that includes any amendments and recommendations relating to persons with disabilities that the Advocate considers appropriate.
- (2)** On completing the report, the Advocate shall submit the report to the Speaker of the Legislative Assembly.
- (3)** On receiving a report under subsection (2), the Speaker of the Legislative Assembly shall lay the report before 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.
- (4)** Within 10 sitting days after the report is tabled under subsection (3), the Government must bring forward a motion to have the report referred to a committee of the Legislative Assembly.
- (5)** The committee to which a report is referred must report back to the Legislative Assembly within 90 days of the report being referred to it if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

Coming into force

- 7** This Act comes into force on Proclamation.

(NOTE: Proclaimed in force October 30, 2018.)



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