



Province of Alberta

VICTIMS OF CRIME AND PUBLIC SAFETY ACT

Revised Statutes of Alberta 2000
Chapter V-3

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

Regulations

The following is a list of the regulations made under the *Victims of Crime and Public Safety Act* that are filed as Alberta Regulations under the Regulations Act

	Alta. Reg.	<i>Amendments</i>
Victims of Crime and Public Safety Act		
Victims of Crime and Public Safety	63/2004	96/2008, 43/2009, 71/2011, 182/2011, 225/2012, 68/2018, 52/2020, 98/2020 106/2020, 285/2020

VICTIMS OF CRIME AND PUBLIC SAFETY ACT

Chapter V-3

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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- (a) repealed 2001 c15 s2;
- (b) repealed 2010 c16 s1(50);
- (c) repealed 2002 cA-4.5 s78;
- (c.1) “Class Action Settlement Agreement” means the Settlement Agreement approved by the Court of Queen’s Bench in Action #0403 12898;
- (d) “Committee” means the Victims of Crime and Public Safety Programs Committee established under section 5;
- (d.1) “contravention” means a contravention as defined in the *Provincial Administrative Penalties Act*;
- (e) repealed 2011 c15 s2;
- (f) “Director” means the Director designated under section 3;
- (g) “enactment” means any Act, regulation, order or bylaw enacted in relation to any matter over which the Legislature has legislative authority;
- (h) “fine” includes a specified penalty;
- (i) “former Act” means the *Victims of Crime Act*, RSA 2000 cV-3, as it existed immediately before this clause comes into force;
- (j) “Fund” means the Victims of Crime and Public Safety Fund continued under section 9(1);
- (k) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;

- (k.1) “police service” means a police service as defined in the *Police Act* and includes any other police service prescribed in the regulations;
- (k.2) “public safety” means public safety in the context of criminal justice and proceedings under the *Provincial Offences Procedure Act*;
- (k.3) “Review Board” means the Criminal Injuries Review Board referred to in section 7;
- (l) “victim” means
- (i) with respect to financial benefits, a person who is injured as a direct result of an act or omission described in section 12(1),
 - (i.1) with respect to a death benefit, a person who dies as a direct result of an act or an omission described in section 12.1, and
 - (ii) with respect to a program, a person who suffers a loss or injury as the result of the commission of an offence or a contravention.

RSA 2000 cV-3 s1;2001 c15 s2;2002 cA-4.5 s78;
2010 c16 s1(50);2011 c15 s2;2020 c18 s3;2020 cP-30.8 s46

Principles

2(1) The following principles apply to the treatment of victims:

- (a) victims should be treated with courtesy, compassion and respect;
- (b) the privacy of victims should be considered and respected to the greatest extent possible;
- (c) all reasonable measures should be taken to minimize inconvenience to victims;
- (d) victims should receive benefits promptly in accordance with this Act and the regulations;
- (e) the safety and security of victims should be considered at all stages of the criminal justice process, and appropriate measures to protect victims from intimidation and retaliation should be taken when necessary;
- (f) information should be provided to victims about the criminal justice system and the victim’s role and opportunities to participate in criminal justice processes;

- (g) information should be provided to victims, in accordance with prevailing law, policies and procedures, about the status of the investigation, the scheduling, progress and final outcome of the proceedings and the status of the offender in the correctional system;
 - (h) information should be provided to victims about victim assistance services, including the Victim Impact Statement Program, requesting restitution, means of obtaining financial reparation and other assistance and programs;
 - (i) the views, concerns and representation of victims are an important consideration in criminal justice processes and should be considered in accordance with prevailing law, policies and procedures;
 - (j) the needs, concerns and diversity of victims should be considered in the development and delivery of programs and services and in related education and training;
 - (k) information should be provided to victims about available options to raise their concerns when they believe that these principles have not been followed.
- (2) Victims should report the crime and co-operate with a police service.
- (3) Public safety should be protected and promoted through government collaboration and investment in priority programs and initiatives.

RSA 2000 cV-3 s2;2005 c20 s2;2011 c15 s3;2020 c18 s4

Director

- 3(1)** The Minister may designate an employee under the administration of the Minister as the Director to carry out the duties and functions of the Director under this Act.
- (2) The duties and functions of the Director include
- (a) providing victims and their families with general information concerning
 - (i) the structure and operation of the justice system,
 - (ii) victim services, and
 - (iii) this Act,

- (b) on request by victims who feel they have not been treated in accordance with the principles of this Act, providing information on how to resolve their concerns,
 - (c) in accordance with section 13, evaluating applications for and making decisions respecting eligibility for financial benefits,
 - (c.1) in accordance with section 13.01, evaluating applications for and making decisions respecting eligibility for death benefits, and
 - (d) any other duties assigned by the Minister.
- (3) The Director may delegate the Director's duties to an employee under the administration of the Minister.

RSA 2000 cV-3 s3;2011 c15 s4

Information

4(1) Subject to the limits imposed by the availability of resources, enactments, including the *Youth Justice Act* and the *Youth Criminal Justice Act* (Canada), and other limits that are reasonable in the circumstances of each case, a victim, on request and at the earliest opportunity, is to be provided with information by the person or agency that has the information with respect to the case, on

- (a) the status of the police investigation and any prosecution that results from that investigation, if the information does not harm a law enforcement matter nor harm investigative techniques and procedures currently used, or likely to be used, in law enforcement;
- (b) the role of the victim and of the other persons involved in the prosecution of the offence;
- (c) court procedures;
- (d) any opportunity for the victim to make representations to the court on the impact of the offence on the victim.

(2) For the purposes of this section, "victim" in relation to an offence means a person to whom harm has been done or who suffers physical or emotional loss as a result of the commission of the offence and, if the person is dead, ill or otherwise incapable, includes the spouse or adult interdependent partner or any relative of that person or anyone who has custody of that person in law or in fact or who is responsible for the care or support of that person.

RSA 2000 cV-3 s4;2002 cA-4.5 s78;2003 c41 s4(31)

Committee

5(1) The Victims of Crime Programs Committee is continued as the “Victims of Crime and Public Safety Programs Committee”.

(1.1) The Committee is to consist of at least 3 but not more than 5 members appointed by the Minister.

(2) The Minister may designate one of the members of the Committee to chair the Committee.

(3) Members of the Committee who hold that office other than as employees of the Government may be paid remuneration and reasonable travelling and living expenses incurred while away from their ordinary places of residence in the course of their duties as members at rates prescribed by the Minister in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(4) If regulations under the *Alberta Public Agencies Governance Act* establish rates in respect of remuneration or expenses referred to in subsection (3), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under that subsection.

RSA 2000 cV-3 s5;2009 cA-31.5 s77;2020 c18 s5

Duties of the Committee

6 At the request of the Director, the Committee is to

- (a) evaluate applications for grants relating to programs or initiatives intended to benefit victims of crime or to promote public safety, and provide recommendations to the Minister based on those evaluations,
- (b) provide information with respect to programs and services that assist victims and promote public safety, and
- (c) undertake other duties related to the administration of this Act.

RSA 2000 cV-3 s6;2011 c15 s5;2020 c18 s6

Criminal Injuries Review Board

7(1) The Criminal Injuries Appeal Board is continued under the name “Criminal Injuries Review Board”.

(2) The Review Board is to consist of not more than 6 members appointed by the Lieutenant Governor in Council, one of whom must be a physician.

- (3) The Lieutenant Governor in Council may designate one of the members of the Review Board to act as chair and another to act as vice-chair of the Review Board.
- (4) In the absence or incapacity of the chair, the vice-chair of the Review Board may act and exercise all of the powers of the chair.
- (5) Members of the Review Board who hold that office other than as employees of the Government may, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, be paid remuneration and reasonable travelling and living expenses incurred while away from their ordinary places of residence in the course of their duties as members.
- (5.1) The Lieutenant Governor in Council shall determine the rates of remuneration and expenses referred to in subsection (5) in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.
- (6) Repealed 2011 c15 s6.
RSA 2000 cV-3 s7;2001 c15 s3;2011 c15 s6;2009 cA-31.5 s77

Panels

- 7.1(1)** The Review Board shall, subject to and in accordance with this Act and the regulations, review decisions of the Director made under section 13 or 15 of the former Act that relate to a member of the class described in the Class Action Settlement Agreement until there is an order of the Court of Queen's Bench winding up the proceedings that gave rise to the Class Action Settlement Agreement.
- (2) Where a review is required under this Act, the chair must designate up to 3 members of the Review Board, who may include the chair, to sit as a panel to conduct the review.
- (2.1) A member of the Review Board, including the chair, is not eligible to sit as a member of a panel to conduct a review of the same matter in respect of which that member has evaluated a request under section 14(3).
- (3) A decision or action made or taken by a panel is a decision or action of the Review Board.
- (4) A panel of the Review Board may exercise and perform all the powers and duties of the Review Board under this Act.
- (5) For the purposes referred to in subsection (4), any reference in this Act to the Review Board is a reference to a panel of the Review Board.

- (6) If the chair is not a member of a panel, the chair must designate one of the members of the panel to preside over the panel.
- (7) When a review is conducted by a panel and one of the members of the panel for any reason does not attend on any day or part of a day, the remaining member or members present may exercise the powers and perform the duties of the panel with respect to that review.
- (8) Panels may sit simultaneously or at different times.
- (9) The Review Board may, subject to the approval of the Lieutenant Governor in Council, make rules governing the Board's and a panel's procedure and reviews.
- (10) A panel and each member of a panel have all the powers of a commissioner under the *Public Inquiries Act*.
- (11) A panel may
- (a) request persons with special technical knowledge to advise the panel on matters relevant to a review, and
 - (b) identify further medical information that is required for the review and request that a victim consent to undergo a medical examination by a physician named or approved by the panel.

2001 c15 s3;2011 c15 s7;2013 c5 s2;2020 c18 s7

Surcharge

- 8(1)** If a fine is imposed on a person who is convicted of an offence or who commits a contravention under an enactment, the person must pay a surcharge unless
- (a) the offence or the contravention is a contravention of a municipal bylaw or a Metis settlement bylaw, or
 - (b) the offence or contravention is excluded from the application of this section by the regulations.
- (2) The amount of a surcharge is the amount provided for in the regulations.
- (3) The surcharge may be collected in the same manner as a fine.
- (4) Notwithstanding any other enactment, any payment made by or on behalf of a person convicted of an offence or on whom a fine has been imposed in respect of a contravention is to be applied first to payment in full of the surcharge.

(5) Notwithstanding any other enactment, the proceeds of the surcharge must be deposited in the Fund.

(6) Section 34 of the *Corrections Act* does not apply to a surcharge.

RSA 2000 cV-3 s8;2001 c15 s4;2020 cP-30.8 s46

Fund

9(1) The Victims of Crime Fund is continued as the “Victims of Crime and Public Safety Fund”.

(2) The following must be deposited into the Fund:

- (a) money from victim fine surcharges collected in Alberta pursuant to section 737 of the *Criminal Code* (Canada) directed by the Lieutenant Governor in Council to be paid into the Fund;
- (b) money collected from surcharges under this Act;
- (c) money received by the Crown for the purpose of assisting victims;
- (c.1) money received pursuant to the *Victims Restitution and Compensation Payment Act*;
- (d) money appropriated by the Legislature for the purposes of the Fund;
- (e) money received as repayment of a financial benefit under this Act;
- (f) money received as repayment of a grant under this Act;
- (g) money received as repayment of financial benefits or a death benefit that is a debt due to the Crown pursuant to section 16(3);
- (h) money payable to the Crown in right of Alberta under an agreement with the Crown in right of Canada respecting assistance to victims that is approved by the Minister for deposit in the Fund;
- (i) a percentage of money from fines collected in Alberta pursuant to the *Youth Criminal Justice Act* (Canada) and any regulations made under that Act for the purpose of providing assistance to victims.

(3) The Minister holds and administers the Fund.

(4) The income of the Fund accrues to and forms part of the Fund.

(5) The Minister may be a participant under section 40 of the *Financial Administration Act* on behalf of the Fund.

RSA 2000 cV-3 s9;2001 cV-3.5 s57;2004 c7 s19;
2006 c23 ss31,81;2011 c15 s8;2013 c5 s3;2020 c18 s8

Use of Fund

10 The Minister may, in accordance with this Act and the regulations, make payments from the Fund with respect to the following:

- (a) grants relating to programs that benefit victims of crime and promote public safety;
- (b) without limiting the generality of clause (a), grants relating to programs that provide counselling to children who are victims of sexual exploitation or other criminal offences causing physical or mental harm;
- (c) programs and initiatives that benefit victims of crime and promote public safety;
- (d) costs incurred by the Committee and the Review Board in carrying out its duties under this Act;
- (e) remuneration and expenses payable to the members of the Committee and the Review Board;
- (f) financial benefits payable pursuant to sections 13 and 15;
- (g) death benefits payable pursuant to section 13.01;
- (h) the costs of administering this Act.

RSA 2000 cV-3 s10;2001 c15 s5;2006 c23 s81;
2011 c15 s9;2013 cC-12.5 s22;2020 c18 s9

11 Repealed 2011 c15 s10.

Eligibility for financial benefits

12(1) A victim is

- (a) eligible for financial benefits in accordance with the regulations if the injury to the victim was the direct result of an act or omission that occurred in Alberta and that is one of the offences under the *Criminal Code* (Canada) specified in the regulations, and
- (b) not eligible for financial benefits if

- (i) the victim was convicted of a criminal offence arising from the events that resulted in the injury, or
- (ii) the offence was not reported to a police service within a reasonable period of time after the date the victim first knew or in the circumstances ought to have known that the offence occurred.

(2) A victim is eligible for the following financial benefits only:

- (a) financial benefits applied for under section 12 of the former Act if, before the coming into force of this section, the Director has neither dismissed the application nor provided the applicant with a copy of the Director's decision and reasons for decision under section 13 of the former Act;
- (b) a supplemental benefit for victims who suffer a severe neurological injury, as defined in the regulations;
- (c) a payment referred to in section 15;
- (d) subject to subsection (3), a financial benefit in respect of which a person may submit a request for reconsideration under section 20(1), concerning a member of the class described in the Class Action Settlement Agreement.

(3) If the Court of Queen's Bench issues an order winding up the proceedings that gave rise to the Class Action Settlement Agreement, subsection (2)(d) has no effect.

RSA 2000 cV-3 s12;2001 c15 s6;2002 cA-4.5 s78;2011 c15 s11;
2020 c18 s10

Eligibility for death benefit

12.1 The persons prescribed in the regulations may apply for a death benefit in respect of the death of a victim for the purposes of funeral costs and any other purposes prescribed in the regulations if the death of the victim was the direct result of an act or omission that occurred in Alberta and that is one of the offences under the *Criminal Code* (Canada) specified in the regulations.

2011 c15 s12

Application for supplemental benefit

12.2(1) An application may be made under section 12

- (a) only in respect of a supplemental benefit referred to in section 12(2)(b), and
- (b) only if the offence was reported to a police service within a reasonable period of time after the offence occurred.

(2) Except as provided in section 12.4, the application must be made within 2 years after the date on which the applicant first knew or in the circumstances ought to have known that the offence occurred.

2011 c15 s12;2013 c5 s4;2020 c18 s11

Application for death benefit

12.3(1) An application under section 12.1 may be made only if the offence was reported to a police service within a reasonable period of time after the offence occurred.

(2) Except as provided in section 12.4, the application must be made within 2 years after the date on which the applicant first knew or in the circumstances ought to have known that the offence occurred.

2011 c15 s12;2020 c18 s11

Extension of time

12.4 Despite sections 12.2(2) and 12.3(2), the Director may extend the period of time for making an application where the Director determines that there are compelling reasons to do so.

2011 c15 s12;2020 c18 s12

Determining financial benefits

13(1) On receipt of an application under section 12.2 in respect of a supplemental benefit, the Director must determine, in accordance with this Act and the regulations, whether a person is eligible under section 12 for financial benefits and, if so, the amounts of the financial benefits, if any.

(2) Subject to the regulations, for the purpose of determining whether a person is eligible under section 12 for financial benefits or the amounts of financial benefits, the Director may

- (a) require the applicant to provide information respecting how the injuries were acquired and describing the injuries suffered by the victim, and
- (b) receive in evidence any statement, document, information or matter that, in the opinion of the Director, may assist in dealing with the application, whether or not the statement, document, information or matter would be admissible as evidence in a court of law.

(3) The Director may dismiss an application made under subsection (1) of the former Act

- (a) if the Director determines that the victim is not eligible under section 12,

- (b) if, in the opinion of the Director, the victim
 - (i) did not fully cooperate with any investigation into the events that resulted in the injury of the victim, or
 - (ii) did not provide information required under subsection (2)(a),or
- (c) for any other reason provided for in the regulations.

(4) Subject to the regulations, if, in the opinion of the Director, the victim's conduct directly or indirectly contributed to the victim's injury, the Director may, in accordance with the regulations, deny the payment of any financial benefits or reduce the amount of the financial benefits.

RSA 2000 cV-3 s13;2001 c15 s7;2011 c15 s13;
2020 c18 s13

Determining death benefit

13.01 On receipt of an application for a death benefit, the Director must determine, in accordance with the regulations, whether the applicant is eligible for a death benefit and if so, the amount of the death benefit.

2011 c15 s14

Information

13.1(1) The Director is authorized to collect information, including personal information that the Director reasonably believes is necessary, for the purpose of determining whether a person is eligible for a benefit under this Act or the amount of that benefit.

(2) The Director is authorized for the purposes of subsection (1) to collect and use information, including personal information, from

- (a) a police service relating to the event to which the benefit relates or to determine previous conduct of the victim,
- (b) a person who provided diagnostic services, treatment or care or other similar medical services to the victim, or
- (c) a public body as defined in the *Freedom of Information and Protection of Privacy Act* to determine or verify whether a person is eligible for a benefit under this Act.

(3) The persons, bodies and agencies referred to in subsection (2) are authorized to provide information, including personal

information, to the Director for the purpose of determining whether a person is eligible for a benefit under this Act.

(4) The Director may disclose information, including personal information, collected under this Act

- (a) to any person for the purpose of determining whether a person is eligible for a benefit under this Act or the amount of that benefit, or
- (b) to a parent, spouse or adult interdependent partner, child or other family member of an applicant or victim or to a recognized victim services agency for the purpose of
 - (i) confirming the existence or status of an application received from an applicant or victim, or
 - (ii) disclosing the amount of any award if, in the Director's opinion, to do so would not be an unreasonable invasion of the applicant's or victim's personal privacy.

2001 c15 s7;2002 cA-4.5 s78;2011 c15 s15;2020 c18 s14

Review by chair or member designated by chair

14(1) The chair or a member designated by the chair must consider requests for review of a benefit concerning a member of the class described in the Class Action Settlement Agreement until there is an order of the Court of Queen's Bench winding up the proceedings that gave rise to the Class Action Settlement Agreement.

(2) The Director, on being notified of the request for review, must provide the chair or member designated by the chair with a copy of all information collected or generated by the Director in respect of the application for financial benefits, the Director's decision and reasons for the decision.

(3) The chair or member designated by the chair must evaluate the request and information provided by the Director and determine whether the request

- (a) is frivolous, vexatious or made in bad faith, or
- (b) has no grounds.

(4) If the chair or member designated by the chair determines under subsection (3)(a) that the request is frivolous, vexatious or made in bad faith, or determines under subsection (3)(b) that the request has no grounds, the chair or member designated by the chair may dismiss the request and notify the applicant and the Director of the decision.

(5) The Review Board, chair or member designated by the chair, as the case may be, may refer an application for financial benefits back to the Director for reconsideration of the Director's decision if at any time before the Review Board makes a decision under section 14.01(1) it is determined that significant new information exists respecting the application.

(6) The Review Board, chair or member designated by the chair, as the case may be, must notify the applicant of a referral made under subsection (5).

(7) If a request is not dismissed under subsection (4) and the application is not referred back to the Director under subsection (5), the chair or member designated by the chair must refer the matter to the Review Board for review in accordance with section 7.1 and must

- (a) notify the Director of the referral, and
- (b) notify the applicant of
 - (i) the referral, and
 - (ii) the applicant's right to choose whether the review will be conducted orally or in writing.

(8) Prior to providing the applicant with a copy of or access to the information collected or generated by the Director in respect of the application for financial benefits or a death benefit, the Review Board must consult with the source from which the information was collected.

(9) After consultation under subsection (8), the Review Board may remove any information that the source from which the information was collected has identified as confidential.

(10) If information is removed under subsection (9), the Review Board must inform the applicant

- (a) that the information has been removed,
- (b) of the reason for the removal, and
- (c) that the information removed will not be used or considered by the Review Board.

(11) and (12) Repealed 2013 c5 s5.

RSA 2000 cV-3 s14;2001 c15 s8;2011 c15 s16;
2013 c5 s5;2020 c18 s15

Decision of Review Board

14.01(1) The Review Board, after conducting a review, may

- (a) rescind, confirm or vary an order made under the former Act,
- (b) rescind or confirm a decision of the Director respecting the eligibility of the applicant to receive financial benefits or a death benefit,
- (c) rescind or confirm a decision of the Director made under section 13(3)(b) or (c), or
- (d) confirm the determination of the Director or vary the determination of the Director as to the amounts of financial benefits or the amount of the death benefit determined in accordance with the regulations by increasing or decreasing the amounts to be paid.

(2) If, under subsection (1), the Review Board rescinds a decision of the Director, the Review Board must refer the matter back to the Director for reconsideration.

(3) The Review Board must notify the applicant and the Director of the Review Board's decision under subsection (1).

(4) A decision of the Review Board under subsection (1) is final.

2011 c15 s16;2013 c5 s6;2020 c18 s16

14.1 Repealed 2020 c18 s17.

Payments

15(1) In this section, "CIC Act" means the *Criminal Injuries Compensation Act*, RSA 1980 cC-33.

(2) Subject to subsection (3), if The Crimes Compensation Board under the CIC Act made an order for the payment of compensation, including periodic payments, and all the payments ordered by that Board have not been paid, the Minister must, subject to there being sufficient money in the Fund, continue to make the payments, as financial benefits, as ordered by that Board.

(3) The Director may, in accordance with this Act, review and rescind, confirm or vary an order under the CIC Act under which payments are paid or payable

- (a) on an application by or on behalf of the person to whom or for whose benefit compensation is payable under the CIC Act, or

(b) on the Director's own initiative.

(4) The Director may impose any terms and conditions that the Director considers appropriate on an order reviewed pursuant to subsection (3).

(5) This Act and the regulations under this Act apply to reviews of orders made under the CIC Act.

RSA 2000 cV-3 s15;2001 c15 s9;2020 c18 s18

Director's decision

15.1 After making a decision under section 13, 13.01, 15 or 21(4)(a), the Director must

- (a) provide the applicant with a copy of the decision and reasons for the decision, and
- (b) advise the applicant
 - (i) that the applicant may request that the Review Board review the Director's decision under section 13 or 15 of the former Act, if the decision relates to a member of the class described in the Class Action Settlement Agreement, or
 - (ii) that the applicant may, within 30 days, apply for judicial review of the decision.

2001 c15 s10;2011 c15 s18;2013 c5 s7;2020 c18 s19

False statements

16(1) No person shall make a false or misleading statement in an application for a benefit or a grant.

(2) A person who contravenes subsection (1) is guilty of an offence.

(3) If a person is convicted of an offence under this section, any benefit or grant paid to that person under this Act may be recovered by the Minister as a debt due to the Crown.

RSA 2000 cV-3 s16;2013 c5 s8;2020 c18 s20

Regulations

17 The Lieutenant Governor in Council may make regulations

- (a) listing offences or contraventions with respect to which a surcharge is not imposed;
- (b) providing for the amount, or for a method of calculating the amount, of the surcharge;

- (b.1) prescribing police services for the purposes of this Act;
- (c) respecting payments under section 10;
- (d) respecting grants for programs under section 10 and the amounts of the grants;
- (e) respecting applications for grants;
- (f) respecting the conditions on which a grant is made and requiring the repayment of the grant or a part of the grant to the Fund if the conditions are not met;
- (g) requiring a recipient of a grant to account for how the grant is spent;
- (g.1) governing the operation of a program or initiative referred to in section 10(c) for the benefit of victims of crime or the promotion of public safety;
- (h) specifying offences under the *Criminal Code* (Canada) for the purposes of section 12;
- (i) respecting applications for a supplemental benefit under section 12.2, including prescribing the persons who may apply for a supplemental benefit and the evaluation of those applications;
- (j) respecting the evaluation of applications for financial benefits;
- (k) describing conduct for which and providing for amounts by which financial benefits are to be reduced for the purposes of section 13(4);
- (l) respecting the classes of injury, damages and expenses with respect to which financial benefits are payable;
- (m) prescribing the amounts, including the maximum amount, of financial benefits payable with respect to any class of injury or expense and with respect to any one application;
- (n) respecting other reasons for which the Director may dismiss an application for financial benefits;
- (o) specifying offences under the *Criminal Code* (Canada) for the purposes of section 12.1;
- (p) respecting applications for a death benefit under section 12.1, including prescribing the persons who may apply for a

death benefit, the time period within which an application for a death benefit must be made and the evaluation of those applications;

- (q) prescribing the amount of a death benefit and the purposes for which a death benefit may be used;
- (r) respecting terms and conditions to be imposed on the payment of a benefit and how and when the payments of a benefit are to be made;
- (s) respecting a reconsideration referred to in section 20(1);
- (t) respecting reviews by the Review Board.

RSA 2000 cV-3 s17;2001 c15 s11;2011 c15 s19;
2013 c5 s9;2020 c18 s21;2020 cP-30.8 s46

Cause of action not created

18 Subject to sections 14(7) and 16(2) and (3), no cause of action, right of appeal, claim for damages or other remedy in law exists because of this Act or anything done or omitted to be done under this Act.

1996 cV-3.3 s18

Transitional — payments

19 Any repayment to the Crown made after the coming into force of this Act for compensation paid pursuant to any of the following Acts is to be paid into the General Revenue Fund:

- (a) the former Act;
- (b) the *Victims of Crime Act*, SA 1996 cV-3.3;
- (c) the *Criminal Injuries Compensation Act*, RSA 1970 c75.

1996 cV-3.3 s19;2020 c18 s22

Transitional — reconsideration applications

20(1) A person entitled to submit a request for reconsideration under the former Act and the regulations under that Act concerning a member of the class described in the Class Action Settlement Agreement may submit the application under this section and the application must be dealt with in accordance with this Act and the regulations under this Act.

(2) If the Court of Queen's Bench issues an order winding up the proceedings that gave rise to the Class Action Settlement Agreement, this section has no effect.

2011 c15 s20;2020 c18 s23

Transitional — reviews

21(1) If a person has applied to the Review Board for a review of a decision of the Director and the review has not been concluded or dismissed before the coming into force of this section, the review must continue to be dealt with in accordance with this Act and the regulations if the benefit was applied for under the former Act or section 20 and concerns a member of the class described in the Class Action Settlement Agreement.

(2) If the Court of Queen’s Bench issues an order winding up the proceedings that gave rise to the Class Action Settlement Agreement, subsection (1) has no effect.

(3) Where a person has applied to the Review Board for a review of a decision of the Director, the review has not been dismissed nor a decision rendered under section 14.01 before the coming into force of this section and the benefit under review is not referred to in subsection (1), the review is terminated and the Review Board, chair or member designated by the chair, as the case may be, must refer the review to the Director.

(4) Where the Director receives a referral under subsection (3), the Director may, as the Director considers appropriate,

- (a) reconsider the matter, or
- (b) notify the applicant in writing that the applicant may, within 30 days from the date of the notice, apply for judicial review of the decision.

2013 c5 s10;2020 c18 s24

**Transitional — Criminal Injuries Review
Board disestablished**

22(1) The Criminal Injuries Review Board is disestablished.

(2) This section comes into force on Proclamation, which may not be made until the Court of Queen’s Bench has issued an order winding up the proceedings that gave rise to the Class Action Settlement Agreement.

2020 c18 s25

Transitional — future amendments and repeals

23(1) This section amends the *Victims of Crime and Public Safety Act*.

(2) Section 10(f) is amended by striking out “sections 13 and 15” and substituting “section 15”.

(3) Section 15.1 is amended by striking out “section 13, 13.01, 15 or 21(4)(a)” **and substituting** “section 13.01”.

(4) Section 18 is amended by striking out “sections 14(7) and 16(2) and (3)” **and substituting** “section 16(2) and (3)”.

(5) The following provisions are repealed:

section 1(k.3);
section 3(2)(c);
section 7;
section 7.1;
section 10(e);
section 12;
section 13;
section 14;
section 14.01;
section 17(h) to (n), (s) and (t);
section 20;
section 21.

(6) This section comes into force on Proclamation, which may not be made until the Court of Queen’s Bench has issued an order winding up the proceedings that gave rise to the Class Action Settlement Agreement.

2020 c18 s25

Power to amend regulations

24(1) Where multiple regulations are to be enacted or amended at the same time for the purposes of consistency with or the implementation of this Act, the Lieutenant Governor in Council may enact or amend those regulations notwithstanding that one or more of the regulations was made by a member of the Executive Council.

(2) Nothing in this section authorizes an amendment to a regulation that would not have been authorized by the Act under which the regulation was made.

2020 c18 s25



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