

Alberta Regulation 95/2020
Employment Standards Code
EMPLOYMENT STANDARDS (COVID-19 LEAVE)
AMENDMENT REGULATION

Filed: June 17, 2020

For information only: Made by the Lieutenant Governor in Council (O.C. 181/2020) on June 17, 2020 pursuant to section 138 of the Employment Standards Code.

1 The *Employment Standards (COVID-19 Leave) Regulation (AR 29/2020)* is amended by this Regulation.

2 The following is added after section 4:

Variance and exemption re family leave

4.1(1) This section applies in substitution for section 53.982 of the Act with respect to an employee who has family responsibilities referred to in subsection (2).

(2) An employee is entitled to unpaid leave for the period of time that is necessary to meet the employee's family responsibilities in relation to

- (a) a family member who is under quarantine as a result of COVID-19, or
- (b) a child who is unable to attend school or child care services as a result of any recommendations or directions of the Chief Medical Officer with respect to COVID-19.

(3) Before taking a leave under this section, the employee must give the employer as much notice as is reasonable and practicable in the circumstances.

(4) If the employer requests, an employee who takes a leave under this section must provide the employer with reasonable verification of the employee's entitlement to the leave as soon as is reasonable and practicable in the circumstances.

(5) For the purposes of subsection (4), an employee is not required to provide a medical certificate as verification of the employee's entitlement to the leave.

(6) This section is repealed on August 14, 2021.

3 This Regulation has effect on August 15, 2020.

Alberta Regulation 96/2020
Employment Pension Plans Act
EMPLOYMENT PENSION PLANS
AMENDMENT REGULATION

Filed: June 24, 2020

For information only: Made by the Lieutenant Governor in Council (O.C. 190/2020) on June 24, 2020 pursuant to section 159 of the Employment Pension Plans Act.

1 The *Employment Pension Plans Regulation* (AR 154/2014) is amended by this Regulation.

2 The following is added after section 10.1:

Funding requirements exemption for 2020

10.2(1) The Superintendent may, on the application of an administrator of a plan of which the plan text document contains a benefit formula provision, exempt in writing the plan from the funding requirements of section 60(2)(b) and (c) and 61(2)(b) and (c), as applicable, for such period as the Superintendent may determine, which may begin no earlier than the day this section comes into force and end no later than December 31, 2020.

(2) An administrator may apply to the Superintendent to rescind an exemption under subsection (1) at any time.

(3) An application under subsection (1) or (2) must be in writing, must be made no later than December 31, 2020 and must include any documentation or information required by the Superintendent.

(4) The Superintendent may, pursuant to section 6 of the Act, impose any other terms or conditions on granting the exemption that may be considered appropriate to ensure compliance.

Actuarial excess use exemption for 2020

10.3(1) The Superintendent may, on the application of an administrator of a plan that is not a divisional multi-employer plan, of which the plan text document contains a defined benefit provision, exempt in writing the plan from the limitation in section 75(4)(a) on the use of actuarial excess to reduce or eliminate contributions for an applicable fiscal year and permit instead that not more than 40% of the plan's accessible going concern excess may be used to reduce or eliminate contributions in that fiscal year.

(2) The Superintendent may, on the application of an administrator of a divisional multi-employer plan, of which the plan text document contains a defined benefit provision, exempt in writing a

participating employer from the limitation in section 75(4)(b) on the use of actuarial excess to reduce or eliminate contributions for an applicable fiscal year and permit instead that not more than 40% of the participating employer's accessible going concern excess may be used to reduce or eliminate contributions in that fiscal year.

(3) An authorization referred to in subsection (1) or (2) may only apply to a single fiscal year ending no later than December 30, 2021.

(4) An application under subsection (1) or (2) must be in writing, must be made no later than December 31, 2020 and must include any documentation or information required by the Superintendent.

(5) The Superintendent may, pursuant to section 6 of the Act, impose any other terms or conditions on granting the exemption that may be considered appropriate to ensure compliance.

3 The following is added after section 156:

Electronic communications

156.1(1) Subject to section 156 of the Act, a statement, notice, document or other record or information required or permitted by the Act or this Regulation to be provided, sent, delivered or filed may be provided, sent, delivered or filed by electronic means in accordance with the *Electronic Transactions Act*.

(2) For greater certainty, subsection (1) does not apply to the designation of a designated beneficiary.

Alberta Regulation 97/2020

Protecting Survivors of Human Trafficking Act

**PROTECTING SURVIVORS OF
HUMAN TRAFFICKING REGULATION**

Filed: June 26, 2020

For information only: Made by the Lieutenant Governor in Council (O.C. 192/2020) on June 26 2020 pursuant to section 20 of the Protecting Survivors of Human Trafficking Act.

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Definitions

1 In this Regulation,

- (a) “Act” means the *Protecting Survivors of Human Trafficking Act*;
- (b) “judge” means a judge of the Provincial Court or a justice of the peace;
- (c) “order” means a human trafficking protection order as defined in the Act.

Designated persons applying for order

2 The following are designated persons for the purpose of applying for an order under section 2(1)(e) of the Act:

- (a) a person authorized by a police service;
- (b) a person or a member of a category of persons authorized by the Minister.

Designated persons applying for warrant permitting entry

3(1) For the purposes of section 7(1)(a) of the Act, a person or a member of a category of persons authorized by the Minister is designated as a person who may apply for a warrant permitting entry.

(2) An application by a person designated in subsection (1) may be made in person or, at the judge’s discretion, by telecommunication or videoconference.

Commencement of application

4(1) An application under the Act is commenced by completing and filing the relevant form with the clerk of the court before the court hears the application.

(2) Notwithstanding subsection (1), the court may hear an application before the relevant form is filed with the clerk of the court.

Forms

5 The forms set out in the Schedule must be used in any application to the court under the Act.

Application to restrict publication, etc.

6 An application for an order may include an application under section 10(2) of the Act for an order restricting publication, broadcast or transmission of information that could identify the victim or any witness in an application.

Evidence at hearing

7(1) At the hearing of an application for an order, a judge must

- (a) take the evidence under oath or affirmation, as the case may be, in accordance with the *Alberta Evidence Act*, and
- (b) ensure that a record of the evidence of each person is made
 - (i) in legible writing in the form of notes made by the judge or a statement of the person giving the evidence, or
 - (ii) by a sound recording of the proceedings.

(2) For the purposes of subsection (1), an oath or affirmation may be administered by telecommunication or videoconference.

(3) Where the victim or any witness in an application under the Act is required to give oral testimony, a judge may direct that the victim or witness testify outside the courtroom or behind a screen or other device that would allow the victim or witness not to see the respondent if the judge is satisfied that the direction would facilitate the giving of a full and candid account of the evidence by the victim or witness or that it is necessary for the proper administration of justice.

Copies of order

8 When granting an order, the judge must complete the original order and, for the purposes of sections 9 and 12(2), must

- (a) ensure 3 copies are made, or
- (b) if the application for an order is made by telecommunication or videoconference by a person referred to in section 2(1)(c), (d) or (e) of the Act, direct that person to complete 3 copies of the order containing the same information and provisions as the original order.

Service of order

9(1) A copy of an order must be served on the respondent as soon as reasonably possible by a police officer or by any other person that the judge directs by leaving it with the respondent.

(2) Where a person applies for an order under section 2(1)(c), (d) or (e) of the Act, that person must provide a copy of the order to the victim.

Filing and service of applications

10(1) Unless the court otherwise directs, an application under section 5(2), 8(1), 9(1), 10(2) or 11(4) of the Act must be filed and a copy of the application must be served on the respondent or victim, as the case may be, by leaving a copy of the application with the individual being served at least 7 days before the date the application is scheduled to be heard.

(2) Service of an application under subsection (1) must be made by a person other than the respondent or victim.

(3) Despite subsections (1) and (2), an application under subsection (1) is not required to be served on the respondent if

- (a) the application is made under section 10(2) or 11(4) of the Act in conjunction with an application for an order, or
- (b) the court is satisfied that
 - (i) no notice is necessary, or
 - (ii) serving the application might cause undue prejudice to the victim or expose the victim to a risk of harm.

Substitutional service

11(1) If it is impractical for any reason to personally serve an order in accordance with section 9(1) or an application in accordance with section 10(1), the following persons may apply to a judge, in person, by telecommunication or videoconference, for an order for substitutional service:

- (a) in the case of service of an order, a person referred to in section 2(1)(c), (d) or (e) of the Act;
- (b) in the case of service of an application, the person making the application.

(2) An application for substitutional service is to be supported by evidence setting out why personal service is impractical and by proposing a method of service that is likely to bring notice of the document to the respondent.

(3) In making a substitutional service order, the judge must direct, on any terms that the judge considers appropriate, any one or more of the following methods of substitutional service that the judge is satisfied is likely to bring notice of the document to the respondent:

- (a) serving a member of the respondent's family or another person who is able to bring the document to the respondent's attention;
- (b) serving a person with whom the respondent is residing or leaving the document at the place where the respondent is residing;
- (c) posting the document in a public place;
- (d) publishing the document in a newspaper;
- (e) sending the document by electronic mail to the respondent's email address;
- (f) any other method the judge considers appropriate.

Proof of service

12(1) Service of a document may be proved by the oral testimony or affidavit of the person who served it.

(2) A police officer or any other person who serves an order on a respondent must as soon as reasonably possible after service forward the completed affidavit of service with a copy of the order attached as an exhibit to the clerk of the court at the location where the order was granted.

Court practice and procedure

13(1) In any matter not provided for in the Act or this Regulation, the practice and procedure of the court may be regulated by analogy to the *Alberta Rules of Court* (AR 124/2010) and the procedures of the Court of Queen's Bench.

(2) The court may give directions respecting any practice or procedure in the court or when hearing an application under the Act.

(3) The court may, on its own or on application,

- (a) vary a rule of practice or procedure,
- (b) refuse to apply a rule of practice or procedure, or
- (c) direct that some other procedure be followed.

(4) The court may extend or shorten a time period specified in this Regulation.

(5) No proceeding shall be defeated on the ground of an alleged defect of form.

Appeals

14 An appeal under section 12(1) or (3) of the Act must be made in accordance with the *Alberta Rules of Court* (AR 124/2010).

Fees

15 Fees are payable under section 1(g) of the *Provincial Court Fees Regulation* (AR 18/1991) and in accordance with Schedule B, Division 4 of the *Alberta Rules of Court* (AR 124/2010) for the following:

- (a) transcripts or copies of transcripts of court proceedings;
- (b) appeal records or copies of appeal records.

Coming into force

16 This Regulation has effect on the coming into force of Part 2 of the Act.

Schedule

**Form 1
[Section 2(1) of the Act]**

**Application for a
Human Trafficking Protection Order**

Court File No. _____

In the Provincial Court of Alberta

In the matter of an application under section 2 of
the *Protecting Survivors of Human Trafficking Act* ("the Act")

Between:

(name of victim) Victim

(address for service, at which legal documents for the victim may be served)

and

(name of respondent) Respondent

(respondent's last known address)

**Application for a
Human Trafficking Protection Order**

The applicant, (name of applicant), is:

- a person who is or may be a victim of human trafficking ("the Victim").
- a person with lawful custody of a child who is or may be a victim of human trafficking.
- a director designated under the *Child, Youth and Family Enhancement Act*.
- a police officer.
- a person authorized by a police service to assist with applications for human trafficking protection orders, and I have advised the Victim of this application and the Victim has consented to the application being made.
- a person authorized by the Minister of Justice and Solicitor General to apply for human trafficking protection orders, and I have advised the Victim of this application and the Victim has consented to the application being made.

Application

The applicant is applying for: *(choose all that apply)*

- a human trafficking protection order.
- an order directing that any information that could identify the Victim or witnesses, as the case may be, must not be published in any document or broadcast or transmitted in any way.
- an order prohibiting the publication of a report of a hearing or any part of a hearing.

In support of this application will be read the following Affidavit:

Affidavit – Reasons for Application

I, _____ of _____, Alberta
(applicant's name) *(name of city/town)*

make oath and say / solemnly affirm that:

1. The Respondent has engaged or may engage in the human trafficking of the Victim, particularly the recruitment, transportation, transfer, holding, concealing, harbouring or receipt of the Victim by means of:
(choose all that apply)
 - threatening or using force or other forms of coercion, abduction, fraud or deception;
 - repeatedly providing a controlled substance, as defined in the *Protecting Survivors of Human Trafficking Act*; *(You may wish to refer to section 1(1)(b) of the Protecting Survivors of Human Trafficking Act for the definition of "controlled substance".)*

- abusing power or a position of vulnerability;
 - giving or receiving payments or benefits to achieve the consent of a person having control over another person.
2. I believe the conduct of the Respondent described above in paragraph 1 is for the purpose of taking advantage of or exploiting the Victim, and in particular: *(choose all that apply)*
- sexual exploitation;
 - forced labour or services, including slavery or practices similar to slavery;
 - the removal of a human organ or tissue;
 - other *(describe)*: _____
3. I believe a human trafficking protection order is needed to protect the Victim because:
(You may wish to refer to section 3(2) of the Protecting Survivors of Human Trafficking Act regarding the factors the court may consider in determining whether to grant a human trafficking protection order)
- (Complete paragraph 4 only if applicable)*
4. I believe it is necessary or advisable for the protection of the Victim to prohibit the Respondent from possessing any weapon as defined in section 2 of the *Criminal Code* (Canada) because:
5. I have the following other information in support of this application:
6. This affidavit is in support of my application for a human trafficking protection order that:
- (a) The Respondent shall not follow the Victim, the Victim's family members and the following persons from place to place: _____
 - (b) The Respondent shall not communicate with or contact, directly or indirectly, the Victim and the following persons: _____
 - (c) The Respondent shall not attend at or be within _____ metres of the following:
 - (i) the Victim's residence: (address)
 - (ii) the Victim's place of employment: (address)
 - (iii) other addresses: (addresses)
(Provide the address(es) of any other place that the Victim, the Victim's family members or other persons identified above, attend regularly or are reasonably known by the Respondent to be, which may include a school, shelter, youth facility, place of residence, place of worship, place of employment or any other place.)
 - (d) The Respondent shall return to the Victim the following personal property of the Victim:
(Describe the personal property to be returned to the Victim, such as a pet in the care of the Victim, or personal effects, property or documents belonging to the Victim, such as a passport, driver's licence, health card or other form of identification, bank cards, motor vehicles or keys, etc.)

The listed personal property of the Victim shall be returned by the Respondent in the following manner:

 - (e) The Respondent shall return to the Victim the original and any copies of any visual recording of the Victim.
 - (f) The Respondent shall not possess, create, transmit, make available, sell, advertise or distribute any photographs, film, video, electronic image or other visual representation of the Victim.
 - (g) The Respondent shall not possess any weapon, as defined in section 2 of the *Criminal Code* (Canada), for
 - the duration of this order
 - the period of _____ to _____Any such weapons and any related authorizations, licences or certifications that are held by the Respondent shall be surrendered, disposed of, detained, stored or otherwise dealt with in the following manner:

 - (h) The following additional provisions are necessary or advisable for the protection of the Victim:

 - (i) No person shall publish in any document or broadcast or transmit in any way any information that could identify the Victim or witnesses, as the case may be, in this matter.
 - (j) No person shall publish a report of a hearing or any part of a hearing in this matter.

Sworn/Affirmed before me at _____
(name of city/town)

in the Province of Alberta on _____
(date)

 Justice of the Peace or Commissioner for Oaths
 in and for Alberta

} _____
 Applicant's Signature

Form 2
[Sections 3 and 20(c) of the Act]

Human Trafficking Protection Order



File No. _____

In the Provincial Court of Alberta

In the matter of an application under section 2 of
 the *Protecting Survivors of Human Trafficking Act* ("the Act")

Between:

(name of victim) Victim

and

(name of respondent) Respondent

Human Trafficking Protection Order

Order granted by: _____
(name of Provincial Court Judge or Justice of the Peace)

Date order granted: _____

Location where order granted: _____, Alberta

NOTICE TO RESPONDENT: _____
(name of respondent)

You are subject to this Human Trafficking Protection Order made pursuant to the *Protecting Survivors of Human Trafficking Act*. YOU MUST OBEY THE PROVISIONS OF THIS ORDER. Go to the end of this document to see what else you can do and when you must do it.

ON HEARING the evidence presented, the Court finds that the Respondent has engaged or may engage in the human trafficking of the Victim, and that this Order should be granted to ensure the immediate protection of the Victim, pursuant to section 3 of the *Protecting Survivors of Human Trafficking Act*.

IT IS ORDERED THAT:

- 1. The Respondent shall not follow the Victim, the Victim's family members, and the following persons from place to place: _____
- 2. The Respondent shall not communicate with or contact, directly or indirectly, the Victim and the following persons: _____
- 3. The Respondent shall not attend at or be within _____ metres of:
 - (a) the Victim's residence: (address) _____
 - (b) the Victim's place of employment: (address) _____
 - (c) other addresses: (addresses) _____

4. The Respondent shall return the following personal property of the Victim:

- The listed personal property of the Victim shall be returned by the Respondent in the following manner: _____
5. The Respondent shall return to the Victim the original and any copies of any visual recording of the Victim in the following manner: _____
6. The Respondent shall not possess, create, transmit, make available, sell, advertise or distribute any photographs, film, video, electronic image or other visual representation of the Victim.
7. Notwithstanding clauses 2 and 3 above, the Respondent shall be permitted to attend, where the Victim is present, any court proceeding in which the Respondent is a party or an accused person.
8. The Respondent shall not possess any weapon, as defined in section 2 of the *Criminal Code* (Canada), for
- the duration of this order
 - the period of _____ to _____.
- Any such weapons and any related authorizations, licences or certifications that are held by the Respondent shall be surrendered, disposed of, detained, stored or otherwise dealt with in the following manner: _____
9. No person shall publish in any document or broadcast or transmit in any way any information that could identify the Victim or witnesses, as the case may be, in this matter.
10. No person shall publish a report of a hearing or any part of a hearing in this matter.
11. (Other provisions needed to protect the Victim) _____

Provincial Court Judge or Justice of the Peace

Pursuant to section 5 of the *Protecting Survivors of Human Trafficking Act*, this order remains in force for 3 years after the date it is granted, unless before the expiry of the order, the court extends the expiry date of the order.

WARNING:

YOU MUST OBEY THE PROVISIONS OF THIS ORDER. Failure to obey this Order may constitute an offence under section 14(1) of the *Protecting Survivors of Human Trafficking Act*. A person who is guilty of an offence under section 14(1) of the *Protecting Survivors of Human Trafficking Act* is liable to a fine of not more than \$50,000 or imprisonment for a term of not more than 2 years, or both.

YOU SHOULD CONTACT A LAWYER for advice about your rights and what you are required to do regarding this Order.

YOU HAVE THE RIGHT TO APPLY to the Provincial Court of Alberta within 20 days after being served with this Order, or such further time as the Court may allow, to have the Order set aside or varied. The Court may consider any evidence that was submitted on the application before the Judge of the Provincial Court or Justice of the Peace who made this Order, and may allow additional evidence to be presented. This will give you an opportunity to present evidence whether this Order should be confirmed, varied or set aside. Any application must be filed with the Court that made this order, and you must arrange for the Victim to be served with the application at least 7 days before the date the application is scheduled to be heard. Service of the application on the Victim must be made by a neutral third party (i.e. a process server).

Affidavit of Service

I, _____, _____
(name of document server) (occupation)
of _____, Alberta
(name of city/town)

make oath and say / solemnly affirm that:

1. On (date) _____, I did serve the Respondent, (Respondent's full name) _____, with a true copy of the Human Trafficking Protection Order, granted (date order was granted by the Court) _____, and (describe any other documents served) _____, by:

(Personal service)

leaving the said document(s) with (Respondent's full name) _____, at (complete address where the documents were given to the Respondent) _____.

(Substitutional Service – the remaining options to be completed only if an Order for Substitutional Service has been granted)

leaving the said document(s) with (full name of person with whom documents were left) _____, at (complete address) _____, who is able to bring the Order to the Respondent's attention.

leaving the said document(s) with (full name of person with whom documents were left) _____, at (complete address) _____, a person with whom the Respondent is residing.

leaving the said document(s) at the Respondent's residence at (complete address) _____.

posting the said document(s) in a public place, namely (describe the public place) _____, at (complete address) _____.

publishing the said document(s) in (name of newspaper) _____, on (date(s) published) _____.

sending the said document(s) by electronic mail to the Respondent's email address at (Respondent's email address) _____.

other: (describe method used to serve the Respondent, as authorized by the Court) _____.

Sworn/Affirmed before me at _____
(name of city/town)
in the Province of Alberta on _____
(date)

Justice of the Peace or Commissioner for Oaths
in and for Alberta

} _____
Signature of document server

Completed Affidavit of Service must be filed with the Clerk of the Court

Form 3
[Section 7 of the Act]

Information to Obtain a
Warrant Permitting Entry



File No. _____

Information to Obtain a Warrant
Protecting Survivors of Human Trafficking Act
Section 7

THIS IS THE INFORMATION

of _____, _____
(name of informant) (occupation of informant)
of _____, at _____, Alberta,
(name of police service) (name of city/town)

hereinafter called the Informant, taken before me pursuant to section 7 of the *Protecting Survivors of Human Trafficking Act* (the Act).

THE INFORMANT SAYS THAT:

1. _____ (the Victim), is or may be a victim of
(name of victim)
human trafficking as defined by the *Protecting Survivors of Human Trafficking Act*.
2. The Informant has been refused access to the Victim.

3. The Victim is likely to be found at: _____
(address of place or premises where the Victim is likely to be found)
in the Province of Alberta (the Premises).

AND THAT the Informant has reasonable grounds for believing the above, because:

(describe grounds)

WHEREFORE the Informant prays that a Warrant may be granted

- (a) to enter the Premises, and any other structure or building used in connection with the Premises,
- (b) to search for, assist, or examine the Victim, and
- (c) with the Victim's consent, unless the Victim is a child, to remove the Victim from the Premises for safety reasons or for the purpose of assisting or examining the Victim.

Sworn/Affirmed before me at _____
(name of city/town)

in the Province of Alberta on _____
(date)

Signature of Informant

Judge of the Provincial Court, Justice of the Peace
in and for the Province of Alberta

Form 4
[Section 7 of the Act]

Warrant Permitting Entry

File No. _____

Provincial Court of Alberta

In the matter of an Information under section 7
of the *Protecting Survivors of Human Trafficking Act*

Warrant Permitting Entry

To the Police Officers in the Province of Alberta.

WHEREAS it appears on the oath/affirmation

of _____
(name of Informant)

of _____
(name of police service)

that there are reasonable grounds for believing that

- 1. _____ (name of victim) (the Victim), is or may be a victim of human trafficking as defined by the *Protecting Survivors of Human Trafficking Act*.
- 2. The Informant has been refused access to the Victim.
- 3. The Victim is likely to be found at

(complete address of place or premises where the Victim is likely to be found)
in the Province of Alberta (the Premises).

THIS IS THEREFORE TO AUTHORIZE AND COMMAND _____
(name of Informant)
or any other Police Officer in the Province of Alberta:

- 1. To enter the Premises, and any other structure or building used in connection with the Premises,
- 2. To search for, assist, or examine the Victim, and
- 3. With the Victim's consent, unless the Victim is a child, to remove the Victim from the Premises for safety reasons or for the purpose of assisting or examining the Victim.

Dated on _____
(date)

at _____, Alberta
(name of city/town)

Justice of the Peace or Provincial Court Judge
in and for the Province of Alberta

Form 5
[Sections 5(2), 8(1), 9(1), 10(2) and 11(4) of the Act]

**Application to Extend, Set Aside or Vary a
Human Trafficking Protection Order**

Court File No. _____

In the Provincial Court of Alberta

In the matter of an application under the
Protecting Survivors of Human Trafficking Act ("the Act")

Between:

(name of victim)

Victim

(victim's address for service)

and

(name of respondent)

Respondent

(respondent's address for service)

**Application to Extend, Set Aside or Vary
a Human Trafficking Protection Order**

The applicant, (name of applicant), is:

- the Victim named in a human trafficking protection order.
- the Respondent, against whom a human trafficking protection order has been granted.
- Other (describe): _____ My address for service of documents is:

Notice of Hearing

Take notice that an application under the *Protecting Survivors of Human Trafficking Act* will be made on behalf of the applicant at a court hearing scheduled before the presiding judge at

(court address)

on the _____ day of _____, _____ at _____
(day) (month) (year) (time) am pm

or as soon thereafter as this application may be heard. If you do not appear at the hearing, or if the presiding judge considers it appropriate in the circumstances for this application to be made without notice to you under section 10(3)(b) of the *Protecting Survivors of Human Trafficking Regulation*, an order may be granted in your absence.

The applicant is applying for an order: (Choose any that apply)

- extending the expiry date of the human trafficking protection order for a period of enter extension period - to a maximum of 3 years, under section 5(2) of the Act.
- setting aside or varying the human trafficking protection order under section 8(1) of the Act, as follows: (describe)
(Note: this application can be made only by the Respondent named in the human trafficking protection order.)
- setting aside or varying the human trafficking protection order under section 9(1) of the Act because of a material change in circumstances, as follows: (describe)
- prohibiting the publication in any document or the broadcast or transmission in any way of any information that could identify the Victim or witnesses, as the case may be, under section 10(2) of the Act.
- prohibiting the publication of a report of a hearing or any part of a hearing, under section 11(4) of the Act.

In support of this application will be read the following Affidavit:

Affidavit – Reasons for Application

I, _____ of _____, Alberta
(applicant's name) (name of city/town)

make oath and say / solemnly affirm that:

1. A Human Trafficking Protection Order was granted on (date order was granted) by (name of Judge/Justice who granted the protection order), a (Provincial Court Judge / Justice of the Peace), between the Victim and the Respondent.
2. My reasons for making this application are as follows: (describe why you are making the application, and the evidence you wish to provide to the court in support of your application.)
3. I have the following other information in support of my application:

Sworn/Affirmed before me at _____
(name of city/town)

in the Province of Alberta on _____
(date)

_____ Applicant's Signature

Justice of the Peace or Commissioner for Oaths
in and for Alberta

Alberta Regulation 98/2020

Victims of Crime and Public Safety Act

**VICTIMS OF CRIME AND PUBLIC SAFETY
AMENDMENT REGULATION**

Filed: June 26, 2020

For information only: Made by the Lieutenant Governor in Council (O.C. 193/2020) on June 26, 2020 pursuant to sections 17 and 24 of the Victims of Crime and Public Safety Act.

1 The *Victims of Crime Regulation* (AR 63/2004) is amended by this Regulation.

2 The title of the Regulation is repealed and the following is substituted:

VICTIMS OF CRIME AND PUBLIC SAFETY REGULATION

3 Section 1 is amended

(a) in clause (a) by striking out “*Victims of Crime Act*” and substituting “*Victims of Crime and Public Safety Act*”;

- (b) **in clause (b) by striking out** “Victims of Crime Programs Committee” **and substituting** “Victims of Crime and Public Safety Programs Committee”;
- (c) **in clause (f) by striking out** “Victims of Crime Fund” **and substituting** “Victims of Crime and Public Safety Fund”;
- (d) **by adding the following after clause (g):**
 - (h) “supplemental benefit” means a supplemental financial benefit for victims who suffer a severe neurological injury referred to in sections 8(6.1) to (6.8) and (8).

4 Section 3 is amended

- (a) **by repealing subsection (1) and substituting the following:**

Financial benefits, application and reconsiderations

3(1) An application for a supplemental benefit pursuant to section 12 of the Act must be made in writing in a form approved by the Director.

- (b) **in subsections (2) to (4) by striking out** “for financial benefits”, **wherever it appears;**
- (c) **in subsections (5) and (6) by adding** “referred to in section 20(1) of the Act” **after** “If an applicant”.

5 Section 10 is amended

- (a) **in subsection (1) by adding** “under section 14(1) of the Act” **after** “A request for review to the Review Board”;
- (b) **by repealing subsection (2).**

6 Section 13 is repealed and the following is substituted:

Fund payment request

13 The Minister may request that payment from the Fund be made for any purpose specified in section 10 of the Act.

7 Section 14(1) is repealed and the following is substituted:

Application for grant

14(1) A person may apply in a form acceptable to the Minister for a grant respecting the following:

- (a) a program or initiative that benefits victims of crime or promotes public safety;
- (b) a program that consists of services that benefit victims or a class or classes of victims during their involvement with the criminal justice process.

8 The heading to Part 4 is amended by striking out “Transitional.”.

9 Section 19 is repealed.

10 Section 21 is amended by striking out “June 1, 2020” and substituting “June 1, 2025”.

11 Schedule 1 is amended in section 1 by repealing the following:

30	230	Murder in commission of offences
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12 Schedule 2 is amended in section 1

(a) by repealing the following:

49	210	Keeping a bawdy-house
50	211	Transporting person to bawdy-house

(b) by repealing item number 51 and substituting the following:

51	213	Offence in relation to offering, providing or obtaining sexual services for consideration
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Consequential Amendments

13(1) The *Co-ordinated Home Care Program Regulation* (AR 296/2003) is amended by this section.

(2) Section 7(f) is repealed and the following is substituted:

(f) the *Victims of Crime and Public Safety Act*, or

14(1) The *Designation and Transfer of Responsibility Regulation* (AR 44/2019) is amended by this section.

(2) Section 14(1)(mmmm) is repealed and the following is substituted:

(mmmm) the *Victims of Crime and Public Safety Act*,

15(1) The *Electronic Transactions Act Designation Regulation* (AR 35/2003) is amended by this section.

(2) The Schedule is amended by striking out “Victims of Crime Programs Committee” and substituting “Victims of Crime and Public Safety Programs Committee”.

16(1) The *Freedom of Information and Protection of Privacy Regulation* (AR 186/2008) is amended by this section.

(2) Schedule 1 is amended by striking out “Victims of Crime Programs Committee” and substituting “Victims of Crime and Public Safety Programs Committee”.

17(1) The *Income Support, Training and Health Benefits Regulation* (AR 122/2011) is amended by this section.

(2) In Schedule 2, section 1(1)(n) is amended by striking out “*Victims of Crime Act*” and substituting “*Victims of Crime and Public Safety Act*”.

18(1) The *Lobbyists Act General Regulation* (AR 247/2009) is amended by this section.

(2) Schedule 1 is amended by striking out “Victims of Crime Program Committee” and substituting “Victims of Crime and Public Safety Programs Committee”.

19(1) The *Minors' Property Regulation* (AR 240/2004) is amended by this section.

(2) Section 2(2)(a) is amended by striking out “*Victims of Crime Act*” and substituting “*Victims of Crime and Public Safety Act*”.

20(1) The *Youth Justice Designation Regulation* (AR 322/2009) is amended by this section.

(2) Section 10(2) is amended by striking out “*Victims of Crime Act*” and substituting “*Victims of Crime and Public Safety Act*”.

21 This regulation has effect on the coming into force of the *Victims of Crime Amendment Act, 2020*.