

1986 BILL 7

First Session, 21st Legislature, 35 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 7

DEPARTMENT OF SOCIAL SERVICES ACT

THE MINISTER OF SOCIAL SERVICES

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 7

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DEPARTMENT OF SOCIAL SERVICES ACT

(Assented to , 1986)

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

Definitions	<p>1 In this Act,</p> <p>(a) "Department" means the Department of Social Services;</p> <p>(b) "Minister" means the Minister of Social Services.</p>
Establishment of Department	<p>2 There shall be a department of the Government called the Department of Social Services over which shall preside the member of the Executive Council appointed by the Lieutenant Governor under the Great Seal of the Province as Minister of Social Services.</p>
Staff	<p>3 In accordance with the <i>Public Service Act</i> there may be appointed a Deputy Minister of Social Services and any other employees required to conduct the business of the Department.</p>
Services of experts	<p>4(1) The Minister may engage the services of experts or persons having special, technical or other knowledge to advise him or to inquire into and report to him on matters under the Minister's administration.</p> <p>(2) A person whose services are engaged under this section may be paid the remuneration and expenses that the Minister prescribes.</p>
Delegation of functions	<p>5(1) The Minister may in writing delegate any power or duty conferred or imposed on him by this Act or any other enactment under</p>

his administration to an employee in the Department or an agent of the Crown in right of Alberta.

(2) Subsection (1) does not apply to any power or duty of the Minister to make regulations.

Agreements

6(1) The Minister may enter into agreements on or in connection with any policies, programs, services or other matters under his administration.

(2) Without limiting subsection (1), agreements may be made under that subsection with the Government of Canada or the government of a province or any agency of the Government of Canada or the government of a province.

Advisory boards,
committees
or councils

7(1) The Minister may establish any boards, committees or councils he considers necessary or desirable to act in an advisory or administrative capacity in connection with any of the policies, programs, services or other matters under his administration.

(2) The Minister may, with respect to any board, committee or council established under this section,

(a) appoint or provide for the manner of the appointment of its members,

(b) prescribe the term of office of any member,

(c) designate a chairman and a vice-chairman, and

(d) authorize, fix and provide for the payment of remuneration and expenses to its members.

(3) A board, committee or council established under this section may, with the approval of the Minister, make rules of procedure governing the calling of meetings, the procedure to be used at its meetings, reporting and any other matters as required.

(4) A board, committee or council established under this section may exercise the powers and shall perform the duties and functions that the Minister approves or confers or imposes on it and, without limiting the generality of the foregoing, if so empowered, a board, committee or council may from time to time visit, inspect and examine institutions, facilities or services operated or administered by the Minister, and their records.

(5) The Minister may require any person appointed to a board, committee or council established under this section, before beginning his duties, to take an oath that he will not, except as authorized by the Minister, divulge any information received by him in the course of his duties as a member of the board, committee or council.

Day care centres

8 The Minister may authorize a board, committee or council established under section 7 to assess the standards of care provided by day care centres as defined in the *Social Care Facilities Licensing Act* and for that purpose the persons appointed to that board, committee or council may, with respect to day care centres, exercise the powers of an officer under that Act.

Powers and
functions

9(1) The Minister may

- (a) take any action or direct any matters for the promotion of social development that he considers appropriate;
- (b) take or direct any measures the Minister considers appropriate or necessary to ensure the development and provision of services for persons requiring financial, protective, special care or preventive services or other social support, including the establishment, acquisition, maintenance and operation of social care facilities as defined in the *Social Care Facilities Licensing Act*;
- (c) carry out research or inquire into and collect information and statistics relating to all matters of social development;
- (d) disseminate information in a manner and form that promotes social development;
- (e) investigate and report to the Lieutenant Governor in Council on activities, agencies, organizations, associations or institutions that have for their object the social development or care of persons in Alberta, and that are not under the administration of any other member of the Executive Council.

(2) The Minister may charge fees to any person for any service provided, research done or materials provided by the Department.

Grants

10(1) The Minister may make grants if

- (a) he is authorized to do so by regulations under this section, and
- (b) there is authority available in a supply vote for the purpose for which the grant is to be made.

(2) The Lieutenant Governor in Council may make regulations

- (a) authorizing the Minister to make grants;
- (b) prescribing the purposes for which grants may be made;
- (c) governing applications for grants;
- (d) prescribing the persons or organizations or classes of persons or organizations eligible for grants;
- (e) specifying the conditions required to be met by any applicant for a grant to render that person eligible for the grant;
- (f) prescribing the conditions on which a grant is made and requiring the repayment of the grant to the Government if the conditions are not met;
- (g) providing for the payment of any grant in a lump sum or by instalments and prescribing the time or times at which the lump sum or the instalments may be paid;
- (h) limiting the amount of any grant or class of grant that may be made;
- (i) authorizing the Minister to delegate in writing to any employee of the Government any duty, power or function respecting the payment of any grant;

(j) requiring any person receiving a grant to account for the way in which the grant is spent in whole or in part;

(k) authorizing the Minister to enter into an agreement with respect to any matter relating to the payment of a grant.

(3) Any regulation made under subsection (2) may be specific or general in its application.

Payments
in advance

11(1) The Minister may make a payment in advance to a person or organization that provides a service under a program under the administration of the Minister for which that person or organization will be entitled to payment, if

(a) there is money available in a supply vote for that purpose, and

(b) the Minister is authorized to do so by the regulations under subsection (2).

(2) The Lieutenant Governor in Council may make regulations governing the conditions and circumstances under which advance payments may be made under subsection (1).

(3) Regulations made under subsection (2) may be specific or general in their application.

(4) If the Minister makes an advance payment under this section, section 39 of the *Financial Administration Act* does not apply.

Security for
repayment

12 As a condition of providing money pursuant to this Act or pursuant to an agreement to provide services,

(a) the Minister may require the recipient of the money to furnish security for repayment of the money in an amount and a form satisfactory to the Minister, and

(b) the Minister may do all things that he considers necessary to realize on the security.

Consequential

13(1) *The following provisions are amended by striking out “and Community Health” wherever it occurs:*

Act	Section number
Assured Income for the Severely Handicapped Act	1(a) and (f)
Child Welfare Act	1(1)(m)
Dependent Adults Act	1(j), 49(2)(a) and (c)
Health Facilities Review Committee Act	1(b)(ii)
Hospitals Act	49(2) and (4)
Improvement Districts Act	30(1) and (2)
Maintenance Enforcement Act	6(1), 7(3) and 9(2) and (3)
Maintenance Order Act	4(1)(c)
Maintenance and Recovery Act	1(a) and (d)

Mental Health Act	1(j)(i) and 33(2)(b)
Senior Citizens Benefits Act	1(c)
Social Care Facilities Licensing Act	1(e)
Social Care Facilities Review Committee Act	1(c)
Social Development Act	1(b) and (e)

(2) *The Chiropractic Profession Act, RSA 1980 cC-9, is amended in section 13(4) by striking out “of Social Services and Community Health”.*