

GOVERNMENT AMENDMENT

AMENDMENTS TO BILL 1

ALBERTA SOVEREIGNTY WITHIN A UNITED CANADA ACT

Amendment A1 agreed to December 7, 2022

The Bill is amended as follows:

A Section 1 is amended by adding the following after clause (e):

- (f) “regulation” means a regulation, order, rule, form, tariff of costs or fees, proclamation, bylaw or resolution enacted
 - (i) in the execution of a power conferred by or under the authority of an Act, or
 - (ii) by or under the authority of the Lieutenant Governor in Council,but does not include an order of a court made in the course of an action or an order made by a public officer or administrative tribunal in a dispute between 2 or more persons.

B Section 3(b)(ii) is struck out and the following is substituted:

- (ii) causes or is anticipated to cause harm to Albertans on the basis that it
 - (A) affects or interferes with an area of provincial legislative jurisdiction under the Constitution of Canada, or
 - (B) interferes with the rights and freedoms of one or more Albertans under the *Canadian Charter of Rights and Freedoms*,

C Section 4 is struck out and the following is substituted:

Powers of the Lieutenant Governor in Council

4(1) If the Legislative Assembly approves a resolution described in section 3, the Lieutenant Governor in Council, to the extent that it is necessary or advisable in order to carry out a measure that is identified in the resolution, may, by order,

- (a) if the Lieutenant Governor in Council is satisfied that doing so is in the public interest, direct a Minister responsible for an enactment as designated under section 16 of the *Government Organization Act* to, by order,
 - (i) suspend or modify the application or operation of all or part of a regulation authorized by that enactment, subject to the terms and conditions that the Lieutenant Governor in Council may prescribe, or
 - (ii) specify or set out provisions that apply in addition to, or instead of, any provision in a regulation authorized by that enactment,

subject to the approval of the Lieutenant Governor in Council,

- (b) direct a Minister to exercise a power, duty or function of the Minister, or
- (c) issue directives to a provincial entity and its members, officers and agents, and the Crown and its Ministers and agents, in respect of the federal initiative.

(2) A directive issued in accordance with subsection (1)(c) may be general or particular in its application.

(3) Where there is a conflict or inconsistency between

- (a) an order made or an order that is directed to be made under subsection (1), and
- (b) a provision of a regulation to which the order relates,

the order prevails to the extent of the conflict or inconsistency.

(4) For greater certainty, a regulation as referred to in this section does not include an Act of the Legislative Assembly.

(5) Nothing in this Act abrogates any authority or power vested in the Legislative Assembly or the Lieutenant Governor in Council by any other enactment or by operation of law, including any authority or power of the Lieutenant Governor in Council to take action with respect to the federal initiative.