



ALBERTA

CHILDREN'S SERVICES

*Office of the Minister*

## Ministerial Order No. 2020-05

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WHEREAS the Lieutenant Governor in Council made Order in Council 080/2020 under section 52.1(1) of the *Public Health Act* on March 17, 2020 declaring a state of public health emergency in Alberta due to pandemic COVID-19 and the significant likelihood of pandemic influenza;

WHEREAS Order in Council 080/2020 has effect for 90 days following March 17, 2020 under section 52.8(1)(a) of the *Public Health Act*;

WHEREAS section 52.1(2) and 52.1(3) of the *Public Health Act* authorize the Minister of Children's Services (Minister) to make an order, without consultation, to suspend or modify the application or operation of all or part of an enactment, subject to the terms and conditions the Minister prescribes, if the Minister is satisfied that doing so is in the public interest;

WHEREAS section 52.1(2) and 52.1(3) of the *Public Health Act* also authorize the Minister to make an order, without consultation, to specify or set out provisions that apply in addition to, or instead of, any provision of an enactment, if the Minister is satisfied that doing so is in the public interest;

WHEREAS section 52.1(2.1) of the *Public Health Act* allows an order to be made retroactive to a date not earlier than the date on which a state of public health emergency was declared;

WHEREAS the Government of Alberta and the Chief Medical Officer of Health have taken steps and implemented certain measures to lessen the impact of the public health emergency;

WHEREAS I am satisfied that the application or operation of all or part of the enactments in Appendix A is not in the public interest because some of the steps or measures taken to lessen the impact of the public health emergency severely restrict the ability of individual Albertans to take steps to preserve their rights; and

THEREFORE, I, Rebecca Schulz, Minister of Children's Services responsible for the enactments in Appendix A, pursuant to section 52.1 of the *Public Health Act*, do hereby order that:

1. The limitation periods set out in the specific provisions in Appendix A are suspended from March 17, 2020 to June 1, 2020.
2. Any period of time within which any step must be taken with respect to the specific

provisions in Appendix A is suspended from March 17, 2020 to June 1, 2020, subject to the discretion of the court, tribunal, appeal panel, director or other decision-maker.

3. For clarity, the limitation period or period of time resumes running on June 1, 2020 and the temporary suspension period shall not be counted.

This Order lapses, unless it is sooner continued by an order of the Lieutenant Governor in Council under section 52.811(3) of the *Public Health Act*, at the earliest of the following:

- a) June 1, 2020;
- b) 60 days after Order in Council 080/2020 is terminated by the Lieutenant Governor in Council, if Order in Council 080/2020 is terminated before June 1, 2020;
- c) when this Order is terminated by the Minister under section 52.811(2) of the *Public Health Act* because the Minister is satisfied that this Order is no longer in the public interest; or
- d) when this Order is terminated by the Lieutenant Governor in Council under section 52.811(1)(c) of the *Public Health Act*.

DATED at Edmonton, Alberta this 13<sup>th</sup> day of May, 2020.



REBECCA SCHULZ  
MINISTER

## APPENDIX A

### MINISTERIAL ORDER (05/2020)

The limitation or time periods set out in the following enactments are suspended:

1. *Child Care Licensing Act*, SA 2007, c C-10.5
  - Sections 21(3) and 23(5)
2. *Child, Youth and Family Enhancement Act*, RSA 2000, c C-12
  - Sections 9, 13(1), 58(2), 64(4), 68(3), 73.1, 74(1), 117.1(1), and 120(3)
3. *Adoption Regulation* (AR 187/2004)
  - Sections 9(1), 14(1), and 21(1)
4. *Court Rules and Forms Regulation* (AR 39/2002)
  - Sections 5.1(3), 5.4(2), 5.9(2), 5.92(2), and 5.92(3)
5. *Residential Facilities Licensing Regulation* (AR 161/2004)
  - Sections 3(4) and 13(3)
6. *Protection of Sexually Exploited Children Act*, RSA 2000, c P30.3
  - Section 3.4