



Province of Alberta

HEALTH GOVERNANCE TRANSITION ACT

Statutes of Alberta, 2008
Chapter H-4.3

Current as of April 1, 2009

Office Consolidation

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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.

Amendments Not in Force

This consolidation incorporates only those amendments in force on the consolidation date shown on the cover. It does not include the following amendments:

2009 c12 s15 repeals ss22(2), (4) and (5)

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

Dissolution of AADAC and Alberta Cancer Board

1(1) The Alberta Alcohol and Drug Abuse Commission is dissolved.

(2) The Alberta Cancer Board is dissolved.

Severance and termination pay

2(1) In this section, “change in governance or restructuring” with respect to the Alberta Cancer Board, the Alberta Alcohol and Drug Abuse Commission or the Alberta Mental Health Board includes

- (a) the dissolution of the Alberta Cancer Board, the Alberta Alcohol and Drug Abuse Commission or the Alberta Mental Health Board, and
 - (b) a transfer of the responsibility for all or part of the operations of the Alberta Cancer Board, the Alberta Alcohol and Drug Abuse Commission or the Alberta Mental Health Board to another entity.
- (2) This section applies only in respect of employees who are not represented by a bargaining agent.
- (3) Notwithstanding any other enactment or the terms of an employment contract, no employee of the Alberta Cancer Board, the Alberta Alcohol and Drug Abuse Commission or the Alberta Mental Health Board is entitled to severance pay or termination pay or other compensation if the employee's position is substantially the same after the change in governance or restructuring as it was before the change in governance or restructuring.
- (4) Nothing in this section precludes an employer from voluntarily giving an employee or former employee severance pay or termination pay or other compensation.

Winding-up orders

- 3(1)** The Minister may by order, subject to the regulations,
- (a) provide for the winding-up of the affairs of the Alberta Alcohol and Drug Abuse Commission and the Alberta Cancer Board;
 - (b) provide for the transition of any of the powers, duties and functions previously carried out by the Alberta Alcohol and Drug Abuse Commission and the Alberta Cancer Board;
 - (c) transfer the assets of the Alberta Alcohol and Drug Abuse Commission and the Alberta Cancer Board;
 - (d) transfer the obligations and liabilities of the Alberta Alcohol and Drug Abuse Commission or the Alberta Cancer Board;
 - (e) determine by or against which entity any civil, criminal or administrative action or proceeding pending by or against

the Alberta Alcohol and Drug Abuse Commission or the Alberta Cancer Board is to be continued;

- (f) determine in favour of or against which entity any ruling, order or judgment in favour of or against the Alberta Alcohol and Drug Abuse Commission or the Alberta Cancer Board is to be enforced.

(2) An order under subsection (1) may contain any provisions the Minister considers necessary to protect the interests of creditors.

(3) The Minister may from time to time give any directions the Minister considers appropriate concerning the winding-up of the affairs of the Alberta Alcohol and Drug Abuse Commission or the Alberta Cancer Board.

(4) An order made under this section may be made retroactive to the extent set out in the order.

(5) The *Regulations Act* does not apply to an order under this section.

Transitional regulations

4(1) The Lieutenant Governor in Council may make regulations

- (a) respecting the transition
 - (i) of any of the powers, duties and functions of the Alberta Alcohol and Drug Abuse Commission and the Alberta Cancer Board, and
 - (ii) of any other matters relating to the dissolution of the Alberta Alcohol and Drug Abuse Commission and the Alberta Cancer Board and the repeal of the *Alberta Alcohol and Drug Abuse Act* and the *Cancer Programs Act*;
- (b) to remedy any confusion, difficulty, inconsistency or impossibility resulting from the dissolution of the Alberta Alcohol and Drug Abuse Commission and the Alberta Cancer Board and the repeal of the *Alberta Alcohol and Drug Abuse Act* and the *Cancer Programs Act*.

(2) A regulation made under subsection (1) may be made retroactive to the extent set out in the regulation.

(3) A regulation made under subsection (1) is repealed on the earlier of

- (a) the coming into force of a regulation that repeals the regulation made under subsection (1);
- (b) 2 years after the regulation comes into force.

(4) The repeal of a regulation under subsection (3) does not affect anything done, incurred or acquired under the authority of the regulation before the repeal of the regulation.

Repeals

5(1) *The Alcohol and Drug Abuse Act, RSA 2000 cA-38, is repealed.*

(2) *The Cancer Programs Act, RSA 2000 cC-2, is repealed.*

(3) *The Alberta Cancer Foundation established under the Cancer Programs Act, RSA 2000 cC-2, is continued and is deemed to be a foundation established by a regional health authority under section 23(1)(n) of the Regional Health Authorities Act.*

6 and 7 *(These sections amend other Acts; the amendments have been incorporated into those Acts.)*

Consequential Amendments

8 to 25 *(These sections amend other Acts; the amendments have been incorporated into those Acts.)*

Coming into force

26 This Act comes into force on Proclamation.

(NOTE: Proclaimed in force April 1, 2009.)