



Province of Alberta

ADMINISTRATIVE PROCEDURES AND
JURISDICTION ACT

**DESIGNATION OF CONSTITUTIONAL
DECISION MAKERS REGULATION**

Alberta Regulation 69/2006

With amendments up to and including Alberta Regulation 89/2013

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.

(Consolidated up to 89/2013)

ALBERTA REGULATION 69/2006

Administrative Procedures and Jurisdiction Act

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Definitions

1 In this Regulation,

- (a) “Charter” means the *Canadian Charter of Rights and Freedoms*;
- (b) “labour arbitrator” means
 - (i) a voluntary arbitration board appointed under Part 2, Division 15 of the *Labour Relations Code*;
 - (ii) a compulsory arbitration board appointed under Part 2, Division 16 of the *Labour Relations Code*;
 - (iii) a public emergency tribunal established under Part 2, Division 18 of the *Labour Relations Code*;
 - (iv) an arbitrator, arbitration board or other body referred to in Part 2, Division 22 of the *Labour Relations Code*;
 - (v) a construction industry disputes resolution tribunal under Part 3, Division 6 of the *Labour Relations Code*;
 - (vi) a compulsory arbitration board established under Part 6 of the *Public Service Employee Relations Act*;

- (vii) an arbitrator appointed under Part 7 of the *Public Service Employee Relations Act*,
 - (viii) an interest arbitration board established under Part 3 of the *Police Officers Collective Bargaining Act*;
 - (ix) an arbitrator, a grievance arbitration board or other body referred to in Part 4 under the *Police Officers Collective Bargaining Act*;
- (c) “Law Society entity” means the Benchers or a panel, committee or subcommittee of the Benchers or any other entity established, by or under the *Legal Profession Act*.

Authorization

2 The decision makers listed in column 1 of the Schedule have jurisdiction to determine the questions of constitutional law set out opposite them in column 2.

Form of notice

3 The notice for the purpose of section 12(1) of the Act is set out in Schedule 2.

Expiry

4 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on January 31, 2016.

Coming into force

5 This Regulation comes into force on the coming into force of section 8 of the *Administrative Procedures Amendment Act, 2005*.

Schedule 1

Column 1	Column 2
Decision Maker	Jurisdiction
Labour Relations Board	all questions of constitutional law
Alberta Energy and Utilities Board	all questions of constitutional law
Law Society entity	all questions of constitutional law
a human rights panel appointed under the <i>Human Rights, Citizenship and Multiculturalism Act</i>	questions of constitutional law arising from the federal or provincial distribution of powers under the Constitution of Canada
labour arbitrators	all questions of constitutional law
Workers' Compensation Board	questions of constitutional law arising from the federal or provincial distribution of powers under the Constitution of Canada
Appeals Commission established under the <i>Workers' Compensation Act</i>	questions of constitutional law arising from the federal or provincial distribution of powers under the Constitution of Canada
Law Enforcement Review Board	questions of constitutional law relating to the Charter
Alberta Securities Commission	questions of constitutional law that relate to the Charter or arising from the federal or provincial distribution of powers under the Constitution of Canada
Alberta Utilities Commission	all questions of constitutional law
Alberta Energy Regulator	all questions of constitutional law

AR 69/2006 Sched.1;254/2007;89/2013

Schedule 2(Administrative Procedures and
Jurisdiction Act (section 12))**Notice of Question of Constitutional Law**

To: The Minister of Justice and Solicitor General of Alberta:

To: The Attorney General of Canada:

AND

To: (decision-maker before which question will be raised)

From: _____

Address: _____

Phone: _____

Lawyer (if any): _____

Date of hearing: _____

I intend to raise the following question(s) of constitutional law. Attached are the details of my argument:

Question(s): _____

I intend to seek the following relief: _____

Estimated time needed to call evidence and make arguments before the decision-maker: _____

Dated: _____

Signed: _____

Details of Argument

Details are to include:

- The grounds to be argued and reasonable particulars of the proposed argument, including a concise statement of the constitutional principles to be argued, references to any statutory provision or rule on which reliance will be placed and any cases or authorities to be relied upon.
- The law in question, the right or freedom alleged to be infringed or denied or the aboriginal or treaty right to be determined, as the case may be.
- The material and documents that will be filed with the decision-maker.
- List of witnesses intended to be called to give evidence before the decision-maker and the substance of their proposed testimony.

AR 69/2006 Sched. 2;170/2012



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