



ALBERTA

COMMUNITY AND SOCIAL SERVICES
Office of the Minister

Ministerial Order No. 2020-011

WHEREAS the Lieutenant Governor in Council made Order in Council 080/2020 under section 52.1(1) of the *Public Health Act* (PHA) 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 PHA;

WHEREAS sections 52.1(2) and 52.1(3) of the PHA authorize the Minister of Community and Social 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 the application or operation of all or part of the enactment is not in the public interest;

WHEREAS section 6(2) of the *Protection Against Family Violence Act* provides that an application for an emergency protection order must be made in accordance with the regulations and may be made by telecommunication;

WHEREAS section 4(1) of the *Protection Against Family Violence Regulation* (PAFV Regulation) requires an application for an emergency protection order to a Provincial Court judge or a justice of the peace to be made in person, unless the applicant is a designated person; and

WHEREAS I am satisfied that the application or operation of section 4(1) of the PAFV Regulation is not in the public interest because the requirement for an application for an emergency protection order to be made in person may increase the risk of spread of COVID-19 to all persons involved in an application for such an order, and possibly members of the general public, and significantly impact their health and safety;

THEREFORE, I, Rajan Sawhney, Minister of Community and Social Services, pursuant to section 52.1(2) of the PHA, do hereby order that:

1. The requirement in section 4(1) of the PAFV Regulation for an application for an emergency protection order to be made in person is suspended, and section 4(1) is modified to allow an application for an emergency protection order to be made by telecommunication.
2. This Order lapses, unless it is sooner continued by an order of the Lieutenant Governor in Council under section 52.811(3) of the PHA, at the earliest of the following:

- (a) August 14, 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 15, 2020;
- (c) when the Order is terminated by the Minister under section 52.811(2) of the PHA 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 PHA.

DATED this 7th day of APRIL, 2020.



Rajan Sawhney
Minister of Community and Social Services