

Alberta Bill of Rights

The Alberta Bill of Rights ensures Albertans' rights and freedoms remain properly protected. The [*Alberta Bill of Rights*](#) applies to laws and actions of the provincial government.

- The [*Canadian Charter of Rights and Freedoms*](#) applies to laws and actions of the federal and provincial governments.
- The [*Alberta Human Rights Act*](#) applies to actions of the private sector.

You should speak to a lawyer if you have questions about the *Alberta Bill of Rights* or would like advice on actions available to you related to your rights.

Your rights

The *Alberta Bill of Rights* was developed as the first bill by Premier Peter Lougheed in 1972 to enshrine Albertans' rights in legislation.

The original bill included the following rights:

- the right of the individual to liberty, security of the person and enjoyment of property, and the right not to be deprived of these except by due process of law
- the right to equality before the law and the protection of the law
- freedom of religion
- freedom of speech
- freedom of assembly and association
- freedom of the press

Every law in Alberta is to be interpreted and applied so as not to limit or interfere with the rights in the *Alberta Bill of Rights*.

Amendments

The *Alberta Bill of Rights* was amended in 2015 to add the following to the list of protected grounds:

- sexual orientation, gender identity or gender expression
- the right of parents to make informed decisions respecting the education of their children

Significant changes took effect when the [*Alberta Bill of Rights Amendment Act, 2024*](#) received royal assent on December 5, 2024.

Now bear in mind the Smith Government added into Section 1, language that negated all of the following Rights and Freedoms

Recognition and declaration of rights and freedoms

1(1) It is hereby recognized and declared that in Alberta there exist without discrimination by reason of race, national origin, colour, religion, sexual orientation, sex, gender identity or gender **the extent authorized by law and where just compensation is provided;**
Key changes included:

- adding the right of the individual with capacity not to be subjected to, or coerced into receiving medical care, treatment or a procedure, without consent unless that individual is likely to cause substantial harm to themselves or to others
- adding the right of the individual with capacity not to be compelled or coerced into receiving a vaccine
- adding the right to acquire, keep and use firearms **in accordance with the law**
- adding the right to freedom of expression, which includes expressive activities beyond written and spoken language
- expanding property rights by requiring government to compensate individuals or businesses if it takes ownership of their property, or if a law deprives the individual or business of all reasonable uses of their property
- clarifying that any limitations on rights in any other laws that are inconsistent with the *Alberta Bill of Rights* cannot be enforced (unless the "Parliamentary supremacy clause" is invoked in legislation)

Alberta Bill of Rights

- expanding the act to apply to all government action, such as policies that are not formalized in a law or regulation, rather than just legislation

expression, the following human rights and fundamental freedoms, namely:

(a) the right of the individual to liberty and security of the

person, and the right not to be deprived thereof **except by due process of law;**

(a.1) the right to the enjoyment of property and the right not to be

deprived thereof **except to the extent authorized by law** and **except by due process of law;** (a.2)

the right not to be subject to a taking of property except to **the extent authorized by law** and

where just compensation is provided;

Key changes included:

- adding the right of the individual with capacity not to be subjected to, or coerced into receiving medical care, treatment or a procedure, without consent unless that individual is likely to cause substantial harm to themselves or to others
- adding the right of the individual with capacity not to be compelled or coerced into receiving a vaccine
- adding the right to acquire, keep and use firearms **in accordance with the law**

- adding the right to freedom of expression, which includes expressive activities beyond written and spoken language
- expanding property rights by requiring government to compensate individuals or businesses if it takes ownership of their property, or if a law deprives the individual or business of all reasonable uses of their property
- clarifying that any limitations on rights in any other laws that are inconsistent with the *Alberta Bill of Rights* cannot be enforced (unless the “Parliamentary supremacy clause” is invoked in legislation)
- expanding the act to apply to all government action, such as policies that are not formalized in a law or regulation, rather than just legislation
- allowing the court to issue remedies, such as awarding damages when the *Alberta Bill of Rights* has been breached
- confirming that fundamental freedoms retain their importance during an emergency
- updating requirements for the Minister of Justice to be notified when any legal

action challenges a law under the *Alberta Bill of Rights*

- clarifying that government may set reasonable limits on rights, which must be demonstrably and proportionately justified
- providing that government can expressly declare that a law operates notwithstanding the *Alberta Bill of Rights*