



Province of Alberta

FAMILY AND COMMUNITY
SUPPORT SERVICES ACT

**FAMILY AND COMMUNITY SUPPORT
SERVICES REGULATION**

Alberta Regulation 218/1994

With amendments up to and including Alberta Regulation 87/2021
Current as of July 1, 2021

Office Consolidation

© Published by Alberta King's Printer

Alberta King's Printer
Suite 700, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952

E-mail: kings-printer@gov.ab.ca
Shop on-line at kings-printer.alberta.ca

Copyright and Permission Statement

The Government of Alberta, through the Alberta King's Printer, holds copyright for all Alberta legislation. Alberta King's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and copyright is acknowledged in the following format:

© Alberta King's Printer, 20__.*

*The year of first publication of the legal materials is to be completed.

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 87/2021)

ALBERTA REGULATION 218/94

Family and Community Support Services Act

FAMILY AND COMMUNITY SUPPORT SERVICES REGULATION

Table of Contents

Program

- 1 Definitions
- 2 Responsibilities of municipality
- 2.1 Service requirements

Financial Matters

- 3 Municipal costs
- 4 Prohibited costs
- 5 Use of money
- 6 Payment of \$250 000 or less
- 6.1 Payment of more than \$250 000 and less than \$500 000
- 6.2 Payment of \$500 000 or more
- 6.3 Auditor

Agreements

- 7 Agreements
- 8 Formal payments
- 9 Municipal signing officer
- 10 Section 2(b) agreements
- 11 Agreement terms

Expiry

- 13 Expiry

Schedule

Program

Definitions

- 1 In this Regulation,

- (a) “Act” means the *Family and Community Support Services Act*;

- (b) “program” means an arrangement for the delivery of family and community support services that are of a preventive nature in accordance with an agreement entered into pursuant to section 3 of the Act.

AR 218/94 s1;102/97;199/2003

Responsibilities of municipality

2 In providing for the establishment, administration and operation of a program, a municipality must do all of the following:

- (a) promote and facilitate the development of stronger communities;
- (b) promote public participation in planning, delivering and governing the program and services provided under the program;
- (c) promote and facilitate the involvement of volunteers;
- (d) promote efficient and effective use of resources;
- (e) promote and facilitate co-operation and co-ordination with allied service agencies operating within the municipality.

AR 218/94 s2;102/97;199/2003

Service requirements

2.1(1) Services provided under a program must

- (a) be of a preventive nature that enhances the social well-being of individuals and families through promotion or intervention strategies provided at the earliest opportunity, and
- (b) do one or more of the following:
 - (i) help people to develop independence, strengthen coping skills and become more resistant to crisis;
 - (ii) help people to develop an awareness of social needs;
 - (iii) help people to develop interpersonal and group skills which enhance constructive relationships among people;
 - (iv) help people and communities to assume responsibility for decisions and actions which affect them;
 - (v) provide supports that help sustain people as active participants in the community.

- (2) Services provided under a program must not
- (a) provide primarily for the recreational needs or leisure time pursuits of individuals,
 - (b) subject to subsection (3), offer direct assistance, including money, food, clothing or shelter, to sustain an individual or family,
 - (c) be primarily rehabilitative in nature, or
 - (d) duplicate services that are ordinarily provided by a government or government agency.
- (3) Services provided under a program may offer direct assistance including money, food, clothing or shelter to sustain an individual or family during a public health emergency under the *Public Health Act* or any extenuating circumstances such as fire or flood as the Minister may determine.

AR 102/97 s2;199/2003;87/2021

Financial Matters

Municipal costs

- 3 Municipal costs of a program may only include
- (a) general administration and management of the municipal program,
 - (b) operation of a board or committee for the municipal program,
 - (c) planning and research regarding the overall program,
 - (d) general consulting by the municipality to services within the program,
 - (e) general consulting by the municipality to the community with regard to the program,
 - (f) monitoring and evaluation of the services provided under the program in the municipality,
 - (g) evaluating the service delivery effectiveness of the program,
 - (h) advertising and promoting the services to be provided under the program in the community,
 - (i) managing a specific service delivery mechanism,

Section 4 FAMILY AND COMMUNITY SUPPORT SERVICES REGULATION AR 218/94

- (j) operating a board or committee for the delivery of the services under the program,
- (k) providing training for staff and volunteers for the delivery of services under the program,
- (l) reimbursing volunteers for incidental expenses necessarily incurred in providing volunteer services to the program but not including loss of wages, and
- (m) employment of staff to deliver family and community support services under the program.

AR 218/94 s3;199/2003;87/2021

Prohibited costs

4 Expenditures of the program shall not include

- (a) the purchase of land or buildings,
- (b) the construction or renovation of a building,
- (c) the purchase of motor vehicles,
- (d) any costs required to sustain an organization that do not relate to direct service delivery under the program,
- (e) municipal property taxes and levies, or
- (f) any payments to a member of a board or committee referred to in section 3(b) or (j), other than reimbursement for expenses referred to in section 3(l).

AR 218/94 s4;199/2003

Use of money

5 A municipality that receives funds from the Minister for a program shall

- (a) give priority to funding services under the program that are delivered by volunteer non-profit organizations,
- (b) expend no less than 20% of the total budget in the program as a matching share of the total municipal funding and funding by the Minister as provided in the program agreement,
- (b.1) allocate from the operating budget of the municipality the 20% matching share referred to in clause (b),
- (c) not apply contributions from agencies towards the program, or funds collected through fees charged to

Section 6 FAMILY AND COMMUNITY SUPPORT SERVICES REGULATION AR 218/94

clients for services provided under the program, as a part of its matching share,

- (d) repealed AR 102/97 s3,
- (e) not use payments made by the Minister under this Act to secure reimbursement for municipal costs not a part of the program, and
- (f) not use payments made by the Minister under this Act for any operating costs for the program not equally charged to its other municipal projects, work or service.

AR 218/94 s5;102/97;199/2003

Payment of \$250 000 or less

6 The audited financial statement required under section 6 of the Act from a municipality that receives a payment under section 3 of the Act in the amount of \$250 000 or less

- (a) must set out the revenues and expenditures shown in the Schedule, and
- (b) must contain the municipality's certification
 - (i) that the services provided under the program meet the conditions set out in section 2.1 of this Regulation,
 - (ii) that the expenditures set out in the financial report include only costs that are eligible under section 3 of this Regulation and do not include expenditures listed in section 4 of this Regulation,
 - (iii) that the funds provided for services under the program were expended for those services, except for the amount reported as surplus,
 - (iv) that the municipality's contribution is not less than 20% of the total budget as provided for in section 5(b) of this Regulation,
 - (v) that the 20% matching share has been allocated in accordance with section 5(b.1) of this Regulation, and
 - (vi) that any funds collected through fees charged to clients for services provided under the program have not been included as part of the municipality's contribution as provided for in section 5(c) of this Regulation.

AR 218/94 s6;102/97;87/2021

Payment of more than \$250 000 and less than \$500 000

6.1 The audited financial statement required under section 6 of the Act from a municipality that receives a payment under section 3 of the Act in the amount of more than \$250 000 but less than \$500 000 must contain

- (a) the information referred to in section 6(a) and (b), and
- (b) a review engagement report relating to the revenues and expenditures shown in the Schedule, prepared in accordance with the standards of the Chartered Professional Accountants of Canada for review engagement reports.

AR 102/97 s4;104/2017;87/2021

Payment of \$500 000 or more

6.2 The audited financial statement required under section 6 of the Act from a municipality that receives a payment under section 3 of the Act in the amount of \$500 000 or more must contain

- (a) the information referred to in section 6(a) and (b), and
- (b) an auditor's report relating to the revenues and expenditures shown in the Schedule, prepared in accordance with the standards of the Chartered Professional Accountants of Canada for auditors' reports.

AR 102/97 s4;104/2017

Auditor

6.3(1) The financial statements referred to in sections 6.1 and 6.2 may be prepared by an employee of the municipality but must be reviewed or audited, as the case may be, by an auditor who is not an employee of the municipality.

(2) The auditor referred to in subsection (1) may be the same person who audits the general financial statements of the municipality.

(3) Notwithstanding subsection (1), financial statements referred to in sections 6.1 and 6.2 may be reviewed or audited, as the case may be, by an employee of the municipality if the employee satisfies the conditions set by the Minister.

AR 102/97 s4

Agreements

Agreements

7 An agreement referred to in section 3 of the Act shall be in a form satisfactory to the Minister.

AR 218/94 s7;199/2003

Formal payments

8(1) Subject to section 3(3) of the Act, payment may be paid in accordance with the amount set out in the agreement.

(2) Advance payments to cover costs of the program may be made in accordance with the terms of the agreement.

Municipal signing officer

9 When a municipality as defined in section 1(b)(i) of the Act enters into an agreement the municipality shall sign the agreement, on a resolution by the municipal council authorizing the agreement.

Section 2(b) agreements

10(1) Where a municipality enters into an agreement with another municipality under section 2(b) of the Act, the agreement must specify which municipality is authorized, on behalf of the other municipality, to enter into an agreement with the Minister.

(2) If a municipality wishes to terminate an agreement between municipalities under section 2(b) of the Act, and the effect of the termination would be to withdraw the authority for a municipality to receive funding under this Regulation on behalf of another municipality, it shall provide the other municipality and the Minister with written notice 6 months prior to the termination date.

Agreement terms

11 It is a term of an agreement between the Minister and municipality that

- (a) if in the opinion of the Minister a municipality's program fails to meet the requirements of section 2 or 2.1, or
- (b) if the audited financial statement of a municipality
 - (i) has not been submitted to the Minister within 120 days of the end of the municipality's fiscal year,
 - (ii) does not meet the requirements prescribed in section 6, 6.1 or 6.2, as the case may be, or

(iii) shows that the municipality has wrongfully used funds provided to it under the Act,

the Minister may withhold amounts of funding under any new agreement or require the municipality to repay the amounts of funding that in the opinion of the Minister are equivalent to the value of the program components not met or the funds wrongfully used.

AR 218/94 s11;102/97

12 Repealed AR 87/2021 s6.

Expiry

Expiry

13 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be re-passed in its present or an amended form following a review, this Regulation expires on June 30, 2032.

AR 102/97 s6;41/2002;199/2003;128/2013;98/2015;
104/2017;87/2021

Schedule

Revenues and Expenditures

Revenues

Funding provided under the Act
Municipal contribution
Other revenues

Total Revenues

Expenditures

Internal, directly funded services provided by the municipality under the program including administration
Funds provided to service providers who are external to the municipality
Less surpluses retained/returned by service providers who are external to the municipality

Net total funding to service providers who are external to the municipality

Total Expenditures

Surplus (Deficit)

AR 218/94 Sched.;102/97;199/2003



Printed on Recycled Paper 