

Responding to Elder Abuse and Neglect Summary of the Law in Each Province and Territory

	Law	Where	When	Who
BC	<i>Adult Guardianship Act</i> , R.S.B.C. 1996, c. 6.	Adult is living anywhere (except in a prison).	An adult is being abused or neglected and is unable to seek support or assistance.	Any person may notify a designated agency.
			A report of abuse or neglect has been received; there are reasons to believe an adult is abused or neglected; or a representative, decision maker, guardian or monitor is hindered from visiting or speaking with the older adult.	An employee of a designated agency must: refer to health care, social, legal accommodation, or other services; assist older adult in obtaining services; inform public guardian and trustee; investigate abuse or neglect; or report criminal offence to police.
	<i>Community Care and Assisted Living Act</i> , R.S.B.C. 2002, c. 75.	Adult is residing in a community care facility or assisted living residence.	A person in care witnesses or experiences elder abuse or neglect.	Licensee of the facility must notify: the parent or representative, or contact person of the person in care; medical practitioner or nurse practitioner responsible for the care of the person in care; medical health officer; and funding program.
AB	<i>Protection for Persons in Care Act</i> , S.A. 2009, c. P-29.1.	Adult receives care or support services from a lodge accommodation, hospital, mental health facility, nursing home, social care facility, or other service provider.	An adult who receives care or support services is being abused, or has been abused.	Every person must report to a complaints officer, a police service, or a committee, body or person authorized under another enactment to investigate abuse.
SK	<i>Victims of Domestic Violence Act</i> , S.S. 1994, c. V-6.02.	Adult is living in the community (i.e. not in care).	Domestic violence has occurred.	A victim , a person on behalf of the victim who has the victim's consent, or a person on behalf of the victim with leave of the court or designated justice of the peace may apply for an <i>ex parte</i> order or restraining order from the court.

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The law is always changing. Legislative reform and legal precedents continuously revise how the law applies to a situation. All material provided is up to date as of August 31, 2010. Any substantive changes to the law after August 31, 2010 are not included in these materials.

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SK	<i>Personal Care Homes Regulations</i> , R.R.S. c. P-6.01 Reg. 2.	Adult is a resident in a personal care home.	Serious incident has occurred.	Licensee must inform the resident's supporter or a member of the resident's family, resident's personal physician, the department and the regional health authority.
MB	<i>Protection for Persons in Care Act</i> , C.C.S.M. c. P144.	Adult is a resident, in-patient or person receiving respite care in a health facility.	A resident, in-patient or person receiving respite care in a health facility is being abused, or is likely to be abused.	Employee or service provider at a health facility must promptly report to the Minister.
	<i>Vulnerable Persons Living with a Mental Disability Act</i> , C.C.S.M. c. V90.	Adult has had a mental disability since childhood and is in need of assistance.	An adult who has had a mental disability since childhood is being abused or neglected, or is likely to be abused or neglected.	A person who provides care, support services or related assistance, a substitute decision maker, or a committee must report to the executive director appointed by the Minister.
ON	<i>Long-Term Care Homes Act 2007</i> , S.O. 2007, c. 8.	Adult is residing in a long-term care home.	Harm, abuse or neglect has occurred or may occur.	A staff member, any person who provides professional services (i.e. health, social services) and licensee must report to the director appointed by the Minister.
QC	<i>Charte des droits et libertés de la personne</i> , L.R.Q., c. C-12.	Adult is living anywhere.	Older adult is the victim of exploitation.	Victims , group of victims, or advocacy organization may apply to human rights commission. Commission may initiate investigation.
NB	<i>Family Services Act</i> , S.N.B. 1980, c. F-2.2	Adult is living anywhere.	Adult is being abused or is at risk of abuse.	Professional person (i.e. care worker, physician, nurse, or other health or mental health professional, social worker, etc.) may report to the Minister.
NS	<i>Protection for Persons in Care Act</i> , S.N.S. 2004, c. 33.	Adult is a patient of a hospital or a resident of a health facility (i.e. special care home).	Adult is being abused or is likely to be abused.	Employees and service providers of a health facility must promptly report to the Minister.

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NS	<i>Adult Protection Act</i> , R.S., c. 2.	Adult is living anywhere.	Adult is the victim of abuse or is not receiving adequate care, is incapable of protecting himself or herself and refuses, delays or is unable to protect himself or herself.	Any person must report to the Minister of Community Services.
PEI	<i>Adult Protection Act</i> , R.S.P.E.I. 1988, c. A-5.	Adult is living anywhere.	Adult is in need of assistance or protection, or is at serious risk.	Any person may report to the Minister.
NL	<i>Neglected Adults Welfare Act</i> , R.S.N.L. 1990, c. N-3.	Adult is living anywhere (except a mental health facility).	An adult is incapable of caring properly for himself or herself, not suitable to be in a mental health facility, not receiving proper care and attention and refuses, delays or is unable to make provision for proper care and attention for himself or herself.	Any person must give information to Director of Neglected Adults, or to a social worker (who must report the matter to the Director).
NU	<i>Family Abuse Intervention Act</i> , S.Nu. 2006, c. 18.	Adult is living in the community (i.e. not in care).	Family abuse has occurred.	A victim , a person on behalf of the victim who has the victim's consent, or a person on behalf of the victim with leave of the court or designated justice of the peace may apply for an <i>ex parte</i> or restraining order from the court.
NWT	<i>Protection Against Family Violence Act</i> , S.N.W.T. 2003, c. 24.	Adult is living in the community (i.e. not in care).	Family violence has occurred.	A victim , a person on behalf of the victim who has the victim's consent, or a person on behalf of the victim with leave of the court or designated justice of the peace may apply for an <i>ex parte</i> or restraining order from the court.
YK	<i>Adult Protection and Decision-Making Act</i> , S.Y. 2003, c. 21, Sch. A.	Adult is living anywhere (except a prison).	An adult is abused or neglected and unable to seek support or assistance.	Any person may report to the Seniors' Services/Adult Protection Unit, currently the only designated agency in the Yukon.

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