



Province of Alberta

GAS RESOURCES PRESERVATION ACT

**GAS RESOURCES PRESERVATION
REGULATION**

Alberta Regulation 328/2002

With amendments up to and including Alberta Regulation 148/2015

Office Consolidation

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Note

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(Consolidated up to 148/2015)

ALBERTA REGULATION 328/2002

Gas Resources Preservation Act

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Definitions

1(1) In this Regulation,

- (a) “Act” means the *Gas Resources Preservation Act*;
- (b) “Department” means the Department of Energy;
- (c) “information” includes a record or return furnished before or after the coming into force of this Regulation to the Board or the Department pursuant to the Act, a regulation under the Act, a permit or an approval of the Lieutenant Governor in Council or the Minister under the Act.

(2) For the purposes of section 9 of the Act “core consumer” means

- (a) a core consumer as defined in the *Gas Utilities Core Market Regulation* (AR 44/95), and
- (b) a core consumer as defined in the *Municipal Gas Systems Core Market Regulation* (AR 93/2001).

Exclusion of propane

2(1) Any propane that is removed or that is intended to be removed from Alberta by pipeline or by any other means is excluded from the application of the Act until the exclusion is terminated by general regulation or special order of the Lieutenant Governor in Council.

(2) A permit authorizing the removal of propane from Alberta has no force or effect while the exclusion prescribed in subsection (1) remains in effect, but when the exclusion is terminated, a permit that would have authorized the removal of propane from Alberta is, on the effective date of termination of the exclusion, effective to authorize the removal of propane from Alberta during any unexpired portion of its term that remains after the termination of the period of exclusion.

Communication of information

3(1) Section 15(1) and (3) of the Act do not apply in relation to any information obtained by the Board in returns furnished to the Board by or on behalf of a permittee pursuant to a term or condition contained in a permit.

(2) Information obtained by the Minister pursuant to the Act, a regulation under the Act or a condition contained in an approval of the Lieutenant Governor in Council or the Minister under the Act

- (a) subject to any restrictions imposed by the Minister, may be provided or published by the Minister or the Department in summarized or statistical form if the information is provided or published in such a manner that it is not possible to relate the information to a particular, identifiable permit or permittee;
- (b) may be communicated, disclosed or made available in
 - (i) any proceedings under the Act that pertain to the permit, or
 - (ii) any proceedings in respect of an offence under the Act;
- (c) may be communicated, disclosed or made available to a person employed in the Department or acting on behalf of the Minister for the purpose of
 - (i) evaluating, formulating or administering any policy or program of the Department, or
 - (ii) administering any enactment under the administration of the Minister;
- (d) subject to any restrictions imposed by the Minister, may be communicated, disclosed or made available to
 - (i) the Board for a purpose related to the administration of the Act or for the purpose of assisting the Board to

prepare forecasts pertaining to gas resources in Alberta, or

- (ii) a person employed in another department of the Government of Alberta for the purpose of evaluating, formulating or administering any policy or program of that department or administering any enactment under the administration of the Minister of the Crown who is the head of that department;
- (e) may be communicated, disclosed or made available to
- (i) the person who furnished the information to the Minister, or
 - (ii) any other person with the consent of the person who furnished the information to the Minister.

Cancellation of permit with consent

4 The Board may, without the approval of the Lieutenant Governor in Council or the Minister, as the case may be, cancel a permit at the request of or with the consent of the permittee.

Conditions on permits

5(1) Every permit granted on or after October 15, 1996 is subject to the following conditions:

- (a) all gas to be removed from Alberta pursuant to the permit shall be measured by or on behalf of the permittee by meters approved by the Board;
- (b) the relative density, higher heating value and volume of all gas received by the permittee for removal from Alberta pursuant to the permit shall, in a manner approved by the Board,
 - (i) be measured by or on behalf of the permittee at or near the points at which the gas is removed from Alberta, and
 - (ii) be reported to the Board by or on behalf of the permittee;
- (c) all quantities of gas removed from Alberta pursuant to the permit shall be referred to a 101.325 kilopascal pressure base and a 15E Celsius temperature base.

(2) Every permit is subject to the condition that the permittee may cease to comply with any terms and conditions of any approval

given before October 15, 1996 by the Lieutenant Governor in Council or the Minister for the granting or amending of the permit.

Repeal

6 The *Gas Resources Preservation Regulation* (AR 273/89) is repealed.

Expiry

7 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 October 31, 2020.

AR 328/2002 s7;113/2010;148/2015



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