



Province of Alberta

GOVERNMENT ORGANIZATION ACT

**EMPLOYMENT AND IMMIGRATION  
GRANT REGULATION**

**Alberta Regulation 94/2009**

With amendments up to and including Alberta Regulation 32/2018

Office Consolidation

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(Consolidated up to 32/2018)

**ALBERTA REGULATION 94/2009**

**Government Organization Act**

**EMPLOYMENT AND IMMIGRATION GRANT REGULATION**

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**Definition**

**1** In this Regulation, “Minister” means the Minister of Labour.

**Delegation**

**2** The Minister may delegate in writing any power, duty or function under this Regulation to any employee of the Government.

**General authority to make grants**

**3** The Minister may make grants, in accordance with this Regulation, for any purpose related to any program, service or matter under the administration of the Minister.

**Eligibility criteria**

**4** The Minister may establish eligibility criteria for grants.

**Applications for grants**

**5** An application for a grant must be made in a manner and form satisfactory to the Minister.

**Conditions**

**6** The following conditions apply to a grant:

- (a) that the recipient
  - (i) use the grant only for the purpose for which it is made,
  - (ii) account to the Minister, in the manner required by the Minister, for the way in which the grant is spent in whole or in part,
  - (iii) permit a representative of the Minister or the Auditor General to examine any books or records that the Minister or the Auditor General considers necessary to determine how the grant has been or is being spent, and
  - (iv) provide to the Minister, on request, any information the Minister considers necessary for the purpose of determining whether or not the recipient has complied or is complying with the conditions of the grant;
- (b) any other conditions imposed by the Minister.

**Variation**

**7** The Minister may vary

- (a) the eligibility requirements for a grant,
- (b) the purpose of a grant, or
- (c) a condition on which a grant is made.

**Repayment of grant**

**8(1)** Subject to subsection (4), a recipient of a grant shall repay a grant or part of a grant

- (a) that the recipient receives for which the recipient is not eligible,
- (b) where the recipient provided false, inaccurate or misleading information to obtain the grant, or

(c) where the recipient fails to comply with a condition on which the grant or part of the grant is made.

(2) Subject to subsection (4), a recipient of a grant shall repay any unused portion of the grant.

(3) A grant or part of a grant that is required to be repaid under this section constitutes a debt due to the Government and is recoverable by the Minister in an action in debt against the recipient of the grant.

(4) Subsections (1) and (2) do not apply where the Minister varies the eligibility criteria for, the purpose of or the conditions applicable to the grant to allow the recipient to retain the grant or to use the grant for the varied purpose or under the varied conditions.

#### **Deductions from grant**

**9** The Minister may deduct from a grant any amount that the recipient

- (a) is required to repay under section 8, or
- (b) owes to the government under any enactment or program under the Minister's responsibility.

#### **Payment**

**10** The Minister may provide for the payment of any grant in a lump sum or by way of instalments and may determine the time or times at which the grant is to be paid.

#### **Agreements**

**11** The Minister may enter into agreements with respect to any matter relating to the payment of a grant.

#### **Refusal to provide grant**

**12** The Minister may refuse to provide a grant under this Regulation to an applicant

- (a) who makes or has made a false or misleading statement in an application under this Regulation or in any other document required by the Minister or who furnishes or has furnished the Minister or the Government of Alberta or the Government of Canada with any false or misleading information that, in the opinion of the Minister, materially affects the applicant's eligibility to receive a grant under this Regulation, or

- (b) if the Minister, in the Minister's sole discretion, considers it appropriate to refuse to make the grant.

**Repeal**

**13** The *Grants, Donations and Loans Regulation* (AR 315/83) is repealed.

**14** Repealed AR 32/2018 s3.





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