



Province of Alberta

RESPONSIBLE ENERGY DEVELOPMENT ACT

**RESPONSIBLE ENERGY
DEVELOPMENT ACT TRANSITION
REGULATION**

Alberta Regulation 92/2013

Extract

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Alberta Queen's Printer
7th Floor, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

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ALBERTA REGULATION 92/2013

Responsible Energy Development Act

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Definitions

1 In this Regulation,

- (a) “former Act” means the *Energy Resources Conservation Act*, RSA 2000 cE-10 and includes the regulations under that Act;
- (b) “former Board” means the Energy Resources Conservation Board;
- (c) “new Act” means the *Responsible Energy Development Act* and includes the regulations and rules under that Act.

Completion of proceedings

2(1) Every proceeding commenced under the former Act, and every proceeding to which the former Act applied that was commenced under another enactment, that has not been completed before the coming into force of section 83(8) of the new Act shall be completed in accordance with the new Act.

(2) Without limiting the generality of subsection (1), every proceeding commenced or being conducted by the former Board

that has not been completed before the coming into force of section 83(8) of the new Act shall be completed by the Regulator.

- (3)** Without limiting the generality of subsections (1) and (2),
- (a) every inquiry, study, report or recommendation under section 21 of the former Act that has not been completed on the coming into force of section 83(8) of the new Act continues under section 17 of the new Act,
 - (b) every hearing, inquiry or other proceeding under section 22 of the former Act that has not been completed on the coming into force of section 83(8) of the new Act continues under section 18 of the new Act,
 - (c) every hearing under section 26(2) of the former Act that has not been completed on the coming into force of section 83(8) of the new Act continues under Division 2 of Part 2 of the new Act,
 - (d) every proceeding under section 39 or 40(2) of the former Act that has not been completed on the coming into force of section 83(8) of the new Act continues under Division 4 of Part 2 of the new Act,
 - (e) every proceeding under section 40(1) of the former Act that has not been completed on the coming into force of section 83(8) of the new Act continues under Division 3 of Part 2 of the new Act,
 - (f) every application for leave to appeal and every appeal under section 41 of the former Act that has not been completed on the coming into force of section 83(8) of the new Act continues under Division 5 of Part 2 of the new Act, and
 - (g) every appeal under section 8 of the *Energy Resources Conservation Board Administration Fees Regulation* (AR 114/2008) that has not been completed on the coming into force of section 83(8) of the new Act continues under section 8 of the *Alberta Energy Regulator Administration Fees Rules*.

Hearing commissioners

3(1) Without limiting the generality of section 2, each member of the former Board who, before the coming into force of the new Act, is conducting a hearing, inquiry or other proceeding under the former Act that has not been completed on the coming into force of the new Act, is, on the coming into force of the new Act, deemed to be appointed as a hearing commissioner under section 11 of the

new Act and to be a member of a panel under section 12 of the new Act for the purpose of completing the hearing, inquiry or other proceeding.

(2) The Lieutenant Governor in Council may exercise the powers referred to in section 20 of the *Interpretation Act* and section 11(2) of the new Act with respect to persons deemed to be appointed as hearing commissioners by subsection (1).

Rulings and decisions

4 For greater certainty, any decision or other action made or taken by the former Board in a proceeding that has not been completed before the coming into force of section 83(8) of the new Act continues as a decision or other action of the Regulator.

Delegations

5 A delegation under section 14 of the former Act that is in effect immediately before the coming into force of the new Act continues as an authorization under section 6 of the new Act until it is terminated, revoked, rescinded or expires.

Compliance and enforcement matters

6 For greater certainty and without limiting the generality of section 2, every investigation or action respecting a compliance or enforcement matter commenced under the former Act or an energy resource enactment before the coming into force of section 83(8) of the new Act that has not been completed on the coming into force of section 83(8) of the new Act shall be completed in accordance with the new Act or the energy resource enactment, as the case may be.

ERCB Administration Fees Regulation

7 Notices given or required to be given, fees payable or owing and penalties payable or owing under the *Energy Resources Conservation Board Administration Fees Regulation* (AR 114/2008) on the coming into force of section 83(8) of the new Act are deemed to have been given or to be required to be given or to be payable or owing under the *Alberta Energy Regulator Administration Fees Rules*.

Award of costs

8 On the coming into force of section 83(8) of the new Act, an award of costs under section 28 of the former Act continues as a costs order under the *Alberta Energy Regulator Rules of Practice* and may be enforced in accordance with those Rules.

Repeal

9 This Regulation is made under section 83(8) of the new Act and is subject to repeal under section 83(11) of the new Act.

Coming into force

10 This Regulation comes into force on the coming into force of section 83(8) of the new Act.



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