

**Alberta Regulation 101/2008**

**Traffic Safety Act**

**BILL OF LADING AND CONDITIONS OF CARRIAGE  
AMENDMENT REGULATION**

Filed: June 17, 2008

For information only: Made by the Minister of Transportation (M.O. 31/08) on June 9, 2008 pursuant to section 156 of the Traffic Safety Act.

**1 The *Bill of Lading and Conditions of Carriage Regulation* (AR 313/2002) is amended by this Regulation.**

**2 Section 19 is amended by striking out “2008” and substituting “2013”.**

-----  
**Alberta Regulation 102/2008**

**Tourism Levy Act**

**TOURISM LEVY (MINISTERIAL) REGULATION**

Filed: June 18, 2008

For information only: Made by the Minister of Finance and Enterprise (M.O. 01/2008) on April 28, 2008 pursuant to section 7.2(3) of the Tourism Levy Act.

**Small amounts owing or for refund**

**1** The amount prescribed for the purposes of section 7.2 of the *Tourism Levy Act* is \$20.

-----  
**Alberta Regulation 103/2008**

**Municipal Government Act**

**AQUEDUCT UTILITIES CORPORATION REGULATION**

Filed: June 24, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 270/2008) on June 24, 2008 pursuant to section 603 of the Municipal Government Act.

*Table of Contents*

- 1 Definitions
- 2 Application of Act
- 3 Exemption from Public Utilities Act
- 4 Dispute resolution
- 5 Provision of extra-provincial services
- 6 Expiry

**Definitions**

**1** In this Regulation,

- (a) “Act” means the *Municipal Government Act*;
- (b) “public utility” means a system or works used to provide the following for public consumption, benefit, convenience or use:
  - (i) water;
  - (ii) sewage disposal;
  - (iii) solid waste management.

**Application of Act**

**2(1)** Subject to subsection (2), sections 43 to 47 of the Act apply in respect of a utility service provided by Aqueduct Utilities Corporation.

**(2)** Section 45(3)(b) of the Act does not apply in respect of a public utility owned or operated by Aqueduct Utilities Corporation.

**Exemption from Public Utilities Act**

**3** Part 2 of the *Public Utilities Act* does not apply in respect of a public utility that

- (a) is owned or operated by Aqueduct Utilities Corporation, and
- (b) provides a utility service within the boundaries of a municipality that is a shareholder of Aqueduct Utilities Corporation.

**Dispute resolution**

**4** If there is a dispute between a regional services commission and Aqueduct Utilities Corporation with respect to

- (a) rates, tolls or charges for a service that is a public utility,

- (b) compensation for the acquisition by the commission of facilities used to provide a service that is a public utility, or
- (c) the commission's use of any road, square, bridge, subway or watercourse to provide a service that is a public utility,

any party involved in the dispute may submit it to the Alberta Utilities Commission, and the Alberta Utilities Commission may issue an order on any terms and conditions that the Alberta Utilities Commission considers appropriate.

**Provision of extra-provincial services**

**5** Aqueduct Utilities Corporation shall not provide any utility services outside of Alberta without the prior written approval of the Minister.

**Expiry**

**6** This Regulation is made under section 603(1) of the Act and is subject to repeal under section 603(2) of the Act.

-----  
**Alberta Regulation 104/2008**

**Unclaimed Personal Property and Vested Property Act**

**GENERAL REGULATION**

Filed: June 24, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 272/2008) on June 24, 2008 pursuant to section 64 of the Unclaimed Personal Property and Vested Property Act.

*Table of Contents*

<b>1</b>	Interpretation
<b>2</b>	Exclusions
<b>3</b>	Trusts
<b>4</b>	Exemption
<b>5</b>	Valuation
<b>6</b>	Rules respecting abandonment of personal property
<b>7</b>	Indication of apparent owner's interest
<b>8</b>	Notice to apparent owner
<b>9</b>	Fees and expenses
<b>10</b>	Costs of inspection
<b>11</b>	Compensation
<b>12</b>	Reports and records
<b>13</b>	Transfer of security, etc.

- 14 Negotiable instrument
- 15 Voluntary payment, transfer or delivery
- 16 Service
- 17 Registered interests in land
- 18 Vested interest in land
- 19 Administration of land
- 20 Identification
- 21 Property identification number
- 22 Claims
- 23 Application to Court of Queen's Bench
- 24 Expiry
- 25 Coming into force

**Interpretation**

**1(1)** In this Regulation,

- (a) "Act" means the *Unclaimed Personal Property and Vested Property Act*;
- (b) "fair market value" means the fair market value of unclaimed personal property as established in accordance with section 5(1);
- (c) "gift certificate" means a gift certificate of any sort and includes, without limitation, a gift card, stored value card or prepaid card that can be used to purchase goods or services at a particular store or group of stores;
- (d) "loyalty program" means a program or promotion by a particular company in which a person acquires an interest in tangible or intangible personal property as the result of the person's collecting points, stamps, receipts or any other thing that has no intrinsic monetary value except when exchanged in accordance with the program or promotion for goods or services, but does not include a gift certificate or retail business credit;
- (e) "retail business credit" means a credit owed by a retail business to a consumer as a result of
  - (i) the return of merchandise by the consumer to the retail business, or
  - (ii) the cancellation of a transaction between the consumer and the retail business

that may only be redeemed for goods or services.

(2) For the purposes of the Act and this Regulation, “actual costs” means expenditures and disbursements made by a holder to a third party for the purpose of paying, transferring or delivering to the Minister personal property that is subject to the Act.

**Exclusions**

(1) An interest in personal property acquired as a result of a person’s participation in a loyalty program does not constitute tangible or intangible personal property for the purposes of the Act.

(2) A gift certificate does not constitute tangible or intangible personal property for the purposes of the Act.

(3) A retail business credit does not constitute tangible or intangible personal property for the purposes of the Act.

(4) Abandoned vehicles to which section 69(8) or 77 of the *Traffic Safety Act* applies do not constitute tangible personal property for the purposes of the Act.

**Trusts**

3 Personal property in trusts governed by and personal property distributable from trusts pursuant to the following legislation do not constitute tangible or intangible personal property for the purposes of the Act:

- (a) the *Cemeteries Act*;
- (b) the *Condominium Property Act*;
- (c) regulations made under Part 11 and section 137 of the *Fair Trading Act*;
- (d) the *Funeral Services Act*;
- (e) the *Mobile Home Sites Tenancies Act*;
- (f) the *Public Trustee Act*;
- (g) the *Real Estate Act*;
- (h) the *Residential Tenancies Act*.

**Exemption**

4 The Act does not apply to the Supplementary Retirement Plan for Public Service Managers under the *Financial Administration Act*.

**Valuation**

**5(1)** For the purposes of the Act and this Regulation, fair market value is,

- (a) where the unclaimed personal property is money, the actual amount of money in Canadian dollars, and if the money is in a foreign currency, the Canadian dollar equivalent,
- (b) where the unclaimed personal property is a negotiable instrument or another item that is equivalent to cash, the face value of the instrument or item,
- (c) where the unclaimed personal property is not an item that is equivalent to cash and has been sold by a holder or the Minister, the proceeds received for the unclaimed personal property, and
- (d) where the unclaimed personal property is not an item that is equivalent to cash and is retained in its original form by the holder, the value of the unclaimed personal property, as determined
  - (i) by a professional appraiser,
  - (ii) by reference to an appraisal guide,
  - (iii) by reference to historical records or the recorded value of the property on a financial statement of, or prepared for, the apparent owner, or
  - (iv) by any other method that the Minister considers reasonable.

**(2)** For the purposes of section 3(4)(b) of the Act, the net value of unclaimed personal property is determined by subtracting any fees or charges authorized pursuant to section 6 of the Act from the fair market value of the unclaimed personal property.

**(3)** If more than one item of unclaimed personal property held by a single holder is apparently owned by the same owner as shown in the records of the holder, the net value of each item of unclaimed personal property of that apparent owner must be totalled and the total is deemed to be the net value of the unclaimed personal property of that apparent owner for the purposes of section 3(4)(b) of the Act.

**(4)** A holder is not obligated to pay, transfer or deliver unclaimed personal property to the Minister if

- (a) the Minister has determined that the net value of the property is less than the amount set out in section 3(4)(b) of the Act, or
- (b) the payment, transfer or delivery is prohibited by another enactment or by an order or judgment of an Alberta court or a court in a reciprocating jurisdiction as prescribed under the *Reciprocal Enforcement of Judgments Act*.

**Rules respecting abandonment of personal property**

**6(1)** For the purposes of this section, “street certificate” means a security certificate that has been endorsed in blank and may be redeemed by the bearer of the certificate.

**(2)** For the purposes of section 4(1) of the Act, the applicable periods after which personal property is presumed to be abandoned are as follows:

- (a) for a traveller’s cheque, 15 years after issuance;
- (b) for a money order, 7 years after issuance;
- (c) subject to clause (d), for a security or any other equity interest in a business organization, 5 years after the earlier of the date of the first
  - (i) dividend, share split or other distribution that was unclaimed by the apparent owner, and
  - (ii) event or action that the apparent owner did not respond to or complete as required;
- (d) for a street certificate, 5 years after the dissolution of the corporation that issued the certificate if the bearer has not redeemed the value of the certificate in a distribution of the property of the corporation on dissolution;
- (e) for a debt of a business organization that accrues interest, 5 years after the date of the earliest payment that was unclaimed by the apparent owner;
- (f) for a demand deposit, certificate of deposit, guaranteed investment certificate, guaranteed investment confirmation or other deposit made for a fixed period that has matured, including a deposit that is automatically renewable, 5 years after the later of
  - (i) maturity, and

- (ii) the date of the last indication by the apparent owner of interest in the deposit;
- (g) for a savings or other deposit that does not have a fixed period or does not mature, 5 years after the date of the last indication by the apparent owner of interest in the deposit;
- (h) for an amount owed by an insurer on a life or endowment insurance policy or an annuity that has matured or terminated, but not including amounts owed by an insurer pursuant to clause (o) or (p), 3 years after the obligation to pay arose or, in the case of a policy or an annuity payable on proof of death, 3 years after the insured has attained, or would have attained if living, the limiting age under the mortality table on which the reserve is based;
- (i) for personal property of a corporation or society distributable in the course of a dissolution under section 228(1) of the *Business Corporations Act*, or personal property of a cooperative distributable in the course of a dissolution under section 328 of the *Cooperatives Act*, one year after the date of the dissolution;
- (j) for personal property to which section 270 of the *Companies Act* applies, one year after the personal property becomes distributable to the member or creditor, as the case may be, if during that time reasonable inquiry has failed to locate the owner or apparent owner of the personal property;
- (k) for personal property received by a court as proceeds of a class action and not distributed under the judgment, one year after the distribution date set out in the judgment;
- (l) for personal property held by a court, government or governmental organization, one year after the personal property becomes distributable;
- (m) for wages or other compensation for personal services, one year after the compensation becomes payable;
- (n) for a deposit or refund owed to a subscriber by a utility, one year after the deposit or refund becomes payable;
- (o) subject to clause (p), personal property in a registered retirement savings plan or a registered education savings plan under the *Income Tax Act* (Canada) or other plan or account that is qualified for tax deferral under the income tax laws of the jurisdiction in which the plan or account is registered or held, 3 years after the earliest of

- (i) the date of distribution or attempted distribution of the personal property,
  - (ii) the date of the required distribution as stated in the plan or the trust agreement governing the plan, and
  - (iii) the date, if determinable by the holder, specified in the income tax laws of the jurisdiction in which the plan or account is registered or held, by which the distribution of the personal property must begin;
- (p) for money paid out of a registered retirement income fund under the *Income Tax Act* (Canada), 3 years after the date of payment although the money within the registered retirement income fund is not, while it remains within that fund, presumed to be abandoned;
- (q) for all other personal property, 5 years after the earlier of
- (i) the date on which the apparent owner's right to demand the personal property arises, and
  - (ii) the date on which the obligation to pay or distribute the personal property arises.

**(3)** Where a street certificate has dividends payable, or a stock split of that street certificate results in additional security certificates being issued to the apparent owner of the street certificate, those dividends or additional security certificates may become unclaimed personal property in accordance with subsection (2)(c) notwithstanding that the street certificate itself is not unclaimed personal property for the purposes of the Act.

**Indication of apparent owner's interest**

**7(1)** For the purposes of section 4(4)(e) of the Act, an indication of an apparent owner's interest in personal property includes the following:

- (a) with respect to personal property described in section 6(2)(f), (h), (n) and (o), the modification by an apparent owner of an online account relating to the personal property, if the account requires a unique password for access;
- (b) with respect to personal property described in section 6(2)(e), the delivery of statements relating to the property to the apparent owner, unless the statements are returned as undeliverable.

(2) Where a holder holds more than one item of personal property belonging to the same apparent owner, communication between the apparent owner and the holder in relation to any one of those items of personal property in the manner set out in section 4 of the Act or in this Regulation is an indication of the apparent owner's interest in all of the apparent owner's personal property held by that holder.

(3) Where personal property is held by a holder pursuant to a rental agreement between the holder and the apparent owner which requires a regular automatic withdrawal of fees from an account belonging to the apparent owner, the successful regular withdrawal of those fees indicates the apparent owner's interest in the personal property unless the account from which the fees are withdrawn has itself become unclaimed personal property of that apparent owner.

(4) Where personal property is acquired by means of regular automatic withdrawals of premiums by a holder from an account belonging to the apparent owner of the personal property, the successful regular withdrawal of those premiums indicates the interest of the apparent owner in the personal property unless the account from which the premiums are withdrawn has itself become unclaimed personal property of that apparent owner.

**Notice to apparent owner**

**8(1)** Notice to an apparent owner of unclaimed personal property for the purposes of section 5(2)(d) of the Act must contain

- (a) the name of the apparent owner, and
- (b) a statement that continued failure to communicate with the holder of the unclaimed personal property will result in a transfer of the unclaimed personal property to the Minister, and the estimated date on which that transfer will take place.

(2) Notice to an apparent owner of unclaimed personal property for the purposes of section 9(3)(d) of the Act must contain

- (a) the name of the apparent owner, and
- (b) sufficient information regarding the claim process to allow the apparent owner to make a claim for the personal property.

(3) Where a holder of unclaimed personal property does not know the identity of an apparent owner of the personal property, the holder is not required to give notice to any person.

**Fees and expenses**

**9(1)** For the purposes of section 6(1)(b) and (2)(b) of the Act, a fee or charge imposed by a holder shall not exceed the actual costs of the service provided by the holder in relation to the personal property.

**(2)** Costs incurred by a holder for paying, transferring or delivering unclaimed personal property to the Minister under section 7, 9 or 10 of the Act may be charged against the value of the personal property if

- (a) the costs are authorized by a written contract between the apparent owner and the holder, or
- (b) the costs are not authorized under clause (a) but the costs are reasonable in the opinion of the Minister and do not exceed the actual costs of the payment, transfer or delivery of the personal property to the Minister.

**(3)** Where the Minister sells unclaimed personal property in accordance with section 8(3)(b) of the Act and the proceeds of sale are less than the sum of the holder's outstanding fees and the Minister's expenses for administering the personal property to that date, the proceeds must be distributed between the Minister and the holder on a pro rata basis.

**(4)** Where the Minister under section 39 of the Act may charge fees and expenses against unclaimed personal property or vested property, the fees and expenses may be charged on a cost recovery basis.

**(5)** Where vested land has been transferred under section 29 of the Act to another Minister, and that Minister is administering the vested land in accordance with another Act, that Minister may charge any fees and expenses authorized by the other Act in respect of the administration of the vested land and those fees and expenses are expenses for the purposes of section 39(4) of the Act.

**Costs of inspection**

**10** Where an inspection under section 55 of the Act discloses that a holder was required but failed to comply with section 7 or 9 of the Act, the Minister may charge the costs of the inspection against the holder on a cost recovery basis.

**Compensation**

**11** The maximum amount of compensation that may be provided for in an agreement under section 44(1) of the Act to locate or recover unclaimed personal property or vested property is 10% of the value of the personal property or vested property recovered.

**Reports and records**

**12(1)** A report provided by a holder in accordance with section 7(2)(b)(iii) and (c) of the Act must include

- (a) all information relevant to the determination of the fair market value of the unclaimed personal property to be transferred to the Minister,
- (b) a declaration that notice was given to the apparent owner of the unclaimed personal property in accordance with section 5 of the Act or the reason why notice was not given,
- (c) the name of the apparent owner of the unclaimed personal property, if known to the holder,
- (d) all information known to the holder regarding the apparent owner that is relevant to identifying or locating the apparent owner,
- (e) any serial number or other unique identification number that appears on or is registered in respect of the unclaimed personal property, and
- (f) all other information relevant to identifying the unclaimed personal property or distinguishing it from other personal property.

**(2)** Where unclaimed personal property that was held by a holder on December 31 of any year is returned to the owner of the personal property before the date on which a report for that year under section 7 of the Act in respect of the personal property is required to be provided to the Minister, the report filed under section 7 of the Act need not provide any information in respect of the returned property except a statement that property was returned by the holder to an owner between December 31 and the date of the report.

**Transfer of security, etc.**

**13** For the purposes of section 7(2)(e)(i) of the Act, the transfer or delivery of a security or a security entitlement to the Minister is accomplished when the name of the account holder is changed from that of the apparent owner to the Minister and the Minister is notified of the change.

**Negotiable instrument**

**14** Where a negotiable instrument has been transferred to the Minister as unclaimed personal property, the Minister may endorse the negotiable instrument in place of the apparent owner.

**Voluntary payment, transfer or delivery**

**15(1)** A holder may apply in writing to the Minister for permission to pay, transfer or deliver personal property or vested property to the Minister in accordance with sections 10(1)(a) and 18(1) of the Act if

- (a) the holder is ceasing business operations and is unable to continue to hold the personal property or vested property, or
- (b) extraordinary circumstances exist that in the opinion of the Minister justify the payment, transfer or delivery.

**(2)** A holder shall not pay, transfer or deliver personal property or vested property to the Minister under section 10(1) or 18(1) of the Act unless the Minister has given written permission to the holder to do so.

**(3)** The Minister may give permission to a holder to pay, transfer or deliver to the Minister in accordance with section 10(1) of the Act intangible personal property the value of which is less than the amount set out in section 3(4)(b) of the Act if

- (a) the holder completes the report required under section 7(2) of the Act, and
- (b) in the opinion of the Minister circumstances exist that justify the payment, transfer or delivery.

**Service**

**16(1)** A demand by the Minister under section 12(1) or 20(1) of the Act, or a determination made by the Minister under section 58(1) of the Act, may be served on a holder by fax if the holder has provided the Minister with a fax number.

**(2)** A notice to an owner of land by the Minister under section 31(5) of the Act accepting or disclaiming an interest in land must be served by means of

- (a) personal service on the registered owner, or
- (b) registered mail addressed to the registered owner at the address recorded on the certificate of title of the land.

**Registered interests in land**

**17** For the purposes of section 28(1)(l) of the Act, the following registered interests in respect of land may not be removed from the certificate of title of the land pursuant to the Act:

- (a) a restrictive covenant;

- (b) an easement;
- (c) a party wall agreement;
- (d) an encroachment agreement;
- (e) a memorandum indicating that the land's use is restricted to cemetery purposes.

**Vested interest in land**

**18** Without limiting the discretion of the Minister, the factors that the Minister may consider in deciding under section 31(2) of the Act whether to accept or disclaim an interest in land that has vested in the Crown include the following:

- (a) where the interest in land was formerly owned by a corporation, society or cooperative, the length of time that has elapsed since the corporation, society or cooperative was dissolved;
- (b) the value of the interest;
- (c) the administrative cost of maintaining the interest.

**Administration of land**

**19(1)** Subject to subsection (2), for the purposes of sections 29(4) and 50(1) of the Act, a Minister to whom responsibility for vested land has been transferred must account for the revenue and expenses associated with the vested land in accordance with section 39(5) of the Act.

**(2)** The Minister responsible for the *Mines and Minerals Act* may account for the revenue and expenses associated with vested interests in respect of mines and minerals transferred to that Minister in accordance with the processes established under that Act.

**(3)** For the purposes of section 50(1) of the Act, the amount to be paid as equivalent value by a Minister to whom vested property has been transferred under section 29 of the Act pursuant to a successful claim for the property, where the property has been disposed of, is the difference between

- (a) the proceeds from the disposition of the property, and
- (b) any fees or expenses charged by a Minister in respect of the administration of the vested property.

(4) A sale or other disposition of vested land must be in accordance with the provisions of Schedule 11 to the *Government Organization Act* and any applicable regulations established under that Act.

**Identification**

**20** The prescribed form of identification that must be carried by an authorized person for the purposes of section 55 of the Act is an identification card in the form required by the Minister that has been issued by the Minister.

**Property identification number**

**21(1)** The Minister may assign a property identification number to each item of property listed in the Registry and, if the Minister does so, the property identification number is public information for the purposes of section 47(3)(b) of the Act.

(2) For the purposes of section 47(3)(b) of the Act, the municipality stated in the last known address of the apparent owner and the date on which the property was transferred to the Minister are public information.

**Claims**

**22(1)** The Minister may consider a claim made after the expiry of the claim period specified in section 48(8) of the Act where

(a) the person making the claim was, at the time of the payment, transfer or delivery to the Minister of the property that is the subject of the claim,

(i) a minor, or

(ii) a person with a mental disability or disorder,

and

(b) the person referred to in clause (a) did not, during the claim period in respect of the property, have a legal representative, guardian or other person who could have made a claim on the person's behalf.

(2) A person may make a claim under section 49(1)(b) of the Act and the Minister may consider the claim if, in addition to the requirements of section 49(1) and (9) of the Act,

- (a) the former owner of the unclaimed personal property or vested property was a corporation or cooperative that has been dissolved,
- (b) the person making the claim
  - (i) was the sole shareholder of the corporation or the sole member or shareholder of the cooperative at the time of its dissolution, or
  - (ii) represents all of the shareholders of the corporation, or members and shareholders of the cooperative at the time of its dissolution, or has been granted an order by a court in Alberta, or in a jurisdiction that is a reciprocating jurisdiction pursuant to section 43(2) of the Act, stating that the person is authorized to make a claim on behalf of the shareholders of the corporation or members and shareholders of the cooperative,
- (c) the revival period set out in the *Business Corporations Act* in respect of a dissolved corporation or the *Cooperatives Act* in respect of a dissolved cooperative has elapsed and the corporation or cooperative has not been revived, and
- (d) the person making the claim can provide evidence to show to the satisfaction of the Minister that
  - (i) the person had reasonable grounds for not causing the corporation or cooperative to be revived within the revival period referred to in clause (c),
  - (ii) injustice or great hardship to the person or others has resulted or is likely to result if the claim is not considered, and
  - (iii) there is no other person with a better entitlement to the property that is the subject of the claim.

**Application to Court of Queen's Bench**

**23** An application to the Court of Queen's Bench for the purposes of section 48(13) or 49(13) of the Act must be made by originating notice and must be served on all persons who have made a claim respecting the unclaimed personal property or vested property that is identified in the originating notice.

**Expiry**

**24** 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 May 1, 2018.

**Coming into force**

**25** This Regulation comes into force on the coming into force of the *Unclaimed Personal Property and Vested Property Act*.

-----  
**Alberta Regulation 105/2008**

**Public Sector Pension Plans Act**

**MANAGEMENT EMPLOYEES AND PUBLIC SERVICE PENSION PLANS  
(AIMCo, 2008) AMENDMENT REGULATION**

Filed: June 24, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 273/2008) on June 24, 2008 pursuant to Schedule 2, section 4 and Schedule 5, section 4 of the Public Sector Pension Plans Act.

**Part 1**

**Management Employees Pension Plan**

**1** The *Management Employees Pension Plan (AR 367/93)* is amended by this Part.

**2** Section 2(1)(p) is amended

(a) by striking out “or” at the end of subclause (ii);

(b) by adding “or” at the end of subclause (iv) and adding the following after subclause (iv):

(v) a person to whom section 3(7) applies,

**3** Section 3 is amended by adding the following after subsection (6):

(7) A person who falls within section 10(1)(k) is an employee.

**4 Section 10 is amended**

**(a) by renumbering it as section 10(1);**

**(b) by adding the following at the end:**

- (k) subject to subsections (3) and (4), persons who
  - (i) were participants employed by the Government immediately before July 1, 2008, became employed by the Alberta Investment Management Corporation (in this section referred to as “AIMCo”) immediately thereafter and did not complete and return to the Minister the notice forms referred to in subsection (5) opting out of continued participation in the Plan before the expiry of 90 days after those forms were sent by the Minister, or
  - (ii) fell within section 10(1)(k)(i) of the *Public Service Pension Plan* (AR 368/93), remained employed by AIMCo and subsequently, without any break in between, obtained different employment positions with AIMCo which, on the assumptions that they had remained employed by the Government and that AIMCo’s constituent statute had not been enacted, would have caused them to be participants of this Plan rather than of the Public Service Pension Plan,

so long as they remain continuously employed by AIMCo.

**(3)** Subsection (1)(k) applies in such a manner as to enable persons, so long as they remain continuously employed by AIMCo without a break, to move between this Plan and the Public Service Pension Plan as participants of the respective Plans indefinitely, the Plan of which they are participants at any given time being determined based on the assumptions referred to in subsection (1)(k)(ii).

**(4)** Individuals who return to the Minister the completed notice forms under and within the 90-day period referred to in subsection (1)(k)(i) are deemed for all purposes of the Plan to have done so on June 30, 2008 and those who do not return them within that period are deemed to have returned them, opting to remain participants, on that same date.

**(5)** The Minister shall, forthwith after the commencement of this subsection, ensure that there is or has previously been sent

to each person who potentially falls within subsection (1)(k)(i) a written notice form that, along with other relevant items, gives the person the option to remain a participant under that provision or to opt out of continued participation in the Plan.

**Part 2**  
**Public Service Pension Plan**

**5 The *Public Service Pension Plan* (AR 368/93) is amended by this Part.**

**6 Section 2(1)(p) is amended**

- (a) by striking out “or” at the end of subclause (ii);**
- (b) by adding “or” at the end of subclause (iv) and adding the following after subclause (iv):**

(v) a person to whom section 3(7) applies,

**7 Section 3 is amended by adding the following after subsection (6):**

(7) A person who falls within section 10(1)(k) is an employee.

**8 Section 10 is amended**

- (a) by renumbering it as section 10(1);**
- (b) by adding the following at the end:**

- (k) subject to subsections (3) and (4), persons who
  - (i) were participants employed by the Government immediately before July 1, 2008, became employed by the Alberta Investment Management Corporation (in this section referred to as “AIMCo”) immediately thereafter and did not complete and return to the Minister the notice forms referred to in subsection (5) opting out of continued participation in the Plan before the expiry of 90 days after those forms were sent by the Minister, or
  - (ii) fell within section 10(1)(k)(i) of the *Management Employees Pension Plan* (AR 367/93), remained employed by AIMCo and subsequently, without

any break in between, obtained different employment positions with AIMCo which, on the assumptions that they had remained employed by the Government and that AIMCo's constituent statute had not been enacted, would have caused them to be participants of this Plan rather than of the Management Employees Pension Plan,

so long as they remain continuously employed by AIMCo.

(3) Subsection (1)(k) applies in such a manner as to enable persons, so long as they remain continuously employed by AIMCo without a break, to move between this Plan and the Management Employees Pension Plan as participants of the respective Plans indefinitely, the Plan of which they are participants at any given time being determined based on the assumptions referred to in subsection (1)(k)(ii).

(4) Individuals who return to the Minister the completed notice forms under and within the 90-day period referred to in subsection (1)(k)(i) are deemed for all purposes of the Plan to have done so on June 30, 2008 and those who do not return them within that period are deemed to have returned them, opting to remain participants, on that same date.

(5) The Minister shall, forthwith after the commencement of this subsection, ensure that there is or has previously been sent to each person who potentially falls within subsection (1)(k)(i) a written notice form that, along with other relevant items, gives the person the option to remain a participant under that provision or to opt out of continued participation in the Plan.

### **Part 3 General**

**9 This Regulation, except sections 4 and 8 to the extent that they add new sections 10(5) to the Plans being amended, comes into force on July 1, 2008.**

**Alberta Regulation 106/2008**

**Professional and Occupational Associations Registration Act**

**PROFESSIONAL ELECTRICAL CONTRACTORS  
AMENDMENT REGULATION**

Filed: June 24, 2008

For information only: Approved by the Lieutenant Governor in Council (O.C. 274/2008) on June 24, 2008 pursuant to section 14 of the Professional and Occupational Associations Registration Act and made by the Electrical Contractors Association of Alberta on January 18, 2008 pursuant to section 14 of the Professional and Occupational Associations Registration Act.

**1 The *Professional Electrical Contractors Regulation* (AR 36/2004) is amended by this Regulation.**

**2 The title is amended by adding “AND MASTER ELECTRICIANS” after “CONTRACTORS”.**

**3 Section 1 is amended**

**(a) by repealing clause (e) and substituting the following:**

- (e) “member” means a person who is registered with the Association’s registrar under section 3 and who holds a valid membership card;
- (e.1) “practice of electrical contracting” means the business of erecting, installing or servicing electrical installations or equipment;
- (e.2) “practice of the electrical industry” means the carrying out of the tasks, activities and functions identified in the *Electrician Trade Regulation* (AR 274/2000);

**(b) by repealing clauses (g), (h), (i) and (k).**

**4 Section 2 is amended by repealing subsection (1) and substituting the following:**

**Registration Committee**

**2(1)** The Registration Committee is established consisting of

- (a) one professional electrical contractor who is a Board member,

- (b) at least 2 professional electrical contractors who are not Board members,
- (c) one certified master electrician who is a Board member,
- (d) at least 2 certified master electricians who are not Board members, and
- (e) at least one registered master electrician who is not a Board member.

**5 Section 3(1) is repealed and the following is substituted:**

**Registers**

**3(1)** The Association's registrar must maintain, in accordance with this Regulation and the bylaws and subject to the direction of the Board, a register of each of the following:

- (a) professional electrical contractors;
- (b) certified master electricians;
- (c) registered master electricians;
- (d) student professional electrical contractors.

**6 Section 4(1) is amended**

- (a) **by striking out** "registered";
- (b) **by adding** ", 9.1, 9.2" **after** "9" **wherever it occurs.**

**7 Section 6 is repealed and the following is substituted:**

**Annual membership card**

**6(1)** On entering the name of a person in the appropriate register, the Association's registrar must issue proof of registration to that person in the form of a membership card.

**(2)** The Association's registrar must annually issue a membership card in accordance with the bylaws to a person

- (a) whose registration is not under suspension or cancelled,
- (b) who has paid the renewal fee prescribed by the bylaws, and

- (c) if the person is registered as a professional electrical contractor or a certified master electrician, the person has successfully completed
    - (i) the Canadian Electrical Code, Part 1 upgrading course approved by the Board, or
    - (ii) a course the Registration Committee is satisfied is substantively equivalent.
- (3) A membership card expires one year after the date of issue.

**8 Section 8 is repealed.**

**9 Section 9 is repealed and the following is substituted:**

**Registration as professional electrical contractor**

**9** An applicant is entitled to be registered as a professional electrical contractor if the Registration Committee is satisfied that the applicant

- (a) is, at the time of the initial application, registered as a certified master electrician or a registered master electrician,
- (b) meets any of the following requirements:
  - (i) has successfully completed the course work and examinations required by a professional education program approved by the Board;
  - (ii) the applicant's qualifications are substantively equivalent to the professional education program;
  - (iii) has a combination of education, practice requirements, examinations or other qualifications that demonstrate the competence required for registration;
  - (iv) is registered in good standing with a profession in another jurisdiction recognized by the Board as having substantively equivalent competence and practice requirements,

and

- (c) is of good character and reputation.

**Registration as certified master electrician**

**9.1(1)** An applicant is entitled to be registered as a certified master electrician if the Registration Committee is satisfied that the applicant

- (a) meets any of the following requirements:
  - (i) has successfully completed
    - (A) the master electrician examination developed by the Master Advisory Committee that is established by the Electrical Contractors Association of Alberta, and
    - (B) the ethics course approved by the Board;
  - (ii) has qualifications that are substantively equivalent to the course work and examinations approved by the Board;
  - (iii) has a combination of education, practice requirements, examinations or other qualifications that demonstrate the competence required for registration;
  - (iv) is registered in good standing with a profession in another jurisdiction recognized by the Board as having substantively equivalent competence and practice requirements,
- (b) has, in the 5 years preceding the application, worked a minimum of 3 years in the practice of the electrical industry as a certified journeyman electrician, and
- (c) is of good character and reputation.

**(2)** Subsection (1)(b) does not apply to a person who

- (a) applies to be registered within one year of the coming into force of this section, and
- (b) meets the requirement in subsection (1)(a)(i).

**Registration as registered master electrician**

**9.2(1)** An applicant is entitled to be registered as a registered master electrician if the Registration Committee is satisfied that the applicant

- (a) meets any of the following requirements:

- (i) has successfully completed the master electrician examination approved by the Board;
  - (ii) has a combination of education, practice requirements, examinations or other qualifications that demonstrate the competence required for registration;
  - (iii) is registered in good standing with a profession in another jurisdiction recognized by the Board as having substantively equivalent competence and practice requirements,
- (b) has, in the 5 years preceding the application, worked a minimum of 3 years in the practice of the electrical industry as a certified journeyman electrician, and
- (c) is of good character and reputation.
- (2) Subsection (1)(b) does not apply to a person who
- (a) applies to be registered within one year of the coming into force of this section, and
  - (b) meets the requirement in subsection (1)(a)(i).

**10 Section 10 is repealed and the following is substituted:**

**Registration as student professional electrical contractor**

**10(1)** An applicant is entitled to be registered as a student professional electrical contractor if the Registration Committee is satisfied that the applicant

- (a) is working toward the requirements of section 9(b)(i), and
- (b) is of good character and reputation.

(2) An applicant is not entitled to be registered as a student professional electrical contractor for more than 8 years unless the Registration Committee is satisfied that there are extenuating circumstances.

**11 Section 11(1) is repealed and the following is substituted:**

**Practice Review Committee**

**11(1)** The Practice Review Committee is established consisting of

- (a) one professional electrical contractor who is a Board member,
- (b) at least 2 professional electrical contractors who are not Board members, one of whom must be appointed as the chair,
- (c) one certified master electrician who is a Board member,
- (d) at least 2 certified master electricians who are not Board members, and
- (e) at least one registered master electrician who is not a Board member.

**12 Section 12 is repealed and the following is substituted:**

**Powers and duties of Practice Review Committee**

**12** The Practice Review Committee may, on its own initiative, and must, at the request of the Board, inquire into and report to and advise the Board in respect of

- (a) the assessment and development of educational standards and experience requirements required for registration as a member,
- (b) the evaluation of desirable standards of competence in the practice of electrical contracting or in the practice of the electrical industry generally,
- (c) any other matter that the Board considers necessary or appropriate in connection with the exercise of its powers and the performance of its duties in relation to competence in the practice of electrical contracting or in the practice of the electrical industry under this Regulation, and
- (d) the practice of electrical contracting or the practice of the electrical industry generally.

**13 Section 13 is repealed.**

**14 Section 14 is amended**

- (a) in clause (c)
  - (i) by striking out “registered”;

(ii) **by adding** “or in the practice of the electrical industry”  
**after** “in the practice of electrical contracting”;

(b) **in clause (d) by striking out** “registered”.

**15 Section 15(1) is repealed and the following is substituted:**

**Discipline Committee**

**15(1)** The Discipline Committee is established consisting of

- (a) one professional electrical contractor who is a Board member,
- (b) at least 2 professional electrical contractors who are not Board members,
- (c) one certified master electrician who is a Board member,
- (d) at least 2 certified master electricians who are not Board members, and
- (e) at least one registered master electrician who is not a Board member.

**16 Section 22 is repealed and the following is substituted:**

**Use of title**

**22(1)** A professional electrical contractor may use the title “Professional Electrical Contractor” and the abbreviations “P.E.C.” and “PEC”.

(2) A certified master electrician may use the title “Certified Master Electrician” and the abbreviations “C.M.E.” and “CME”.

(3) A registered master electrician may use the title “Registered Master Electrician” and the abbreviations “R.M.E.” and “RME”.

**17 Section 23 is repealed.**

**18 The following provisions are amended by striking out “registered” wherever it occurs:**

section 7;  
section 17;  
section 18;  
section 19;  
section 21.

**Alberta Regulation 107/2008**  
**Dairy Industry Act**  
**DAIRY INDUSTRY AMENDMENT REGULATION**

Filed: June 24, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 275/2008) on June 24, 2008 pursuant to section 39 of the Dairy Industry Act.

**1 The *Dairy Industry Regulation* (AR 139/99) is amended by this Regulation.**

**2 Schedule 2 is amended in the 2nd row**

- (a) in the 2nd column by adding** “or individual bacteria count” **after** “Total living mesophyllic aerobic bacteria count”;
- (b) in the 3rd column by striking out** “Producer: maximum 50 000 total living mesophyllic aerobic bacteria per ml” **and substituting** “Maximum 50 000 total living mesophyllic aerobic bacteria per ml or maximum 121 000 total individual bacteria per ml”.

**3 Schedule 3 is amended in the 4th row in the 5th column by striking out “100” and substituting “10”.**

-----  
**Alberta Regulation 108/2008**

**Marketing of Agricultural Products Act**  
**ALBERTA BEEF PRODUCERS PLAN AMENDMENT REGULATION**

Filed: June 24, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 276/2008) on June 24, 2008 pursuant to section 23 of the Marketing of Agricultural Products Act.

**1 The *Alberta Beef Producers Plan Regulation* (AR 336/2003) is amended by this Regulation.**

**2 Section 2 is amended**

(a) **in subsection (1) by striking out** “a sub-zone delegate,” **wherever it occurs;**

(b) **by repealing subsection (2) and substituting the following:**

(2) Except where there is a reference specifically to a zone delegate or a cattle feeder council delegate, a reference in this Plan to a delegate representing a zone is a reference to a delegate elected or appointed under this Plan to represent the eligible producers for that zone irrespective as to whether that delegate is a zone delegate or a cattle feeder council delegate.

**3 Section 9(1)(c)(ii) is amended by striking out** “and sub-zones”.

**4 Section 18 is amended**

(a) **in subsection (1) by striking out** “or sub-zone” **wherever it occurs;**

(b) **in subsection (2) by striking out** “sub-zone delegates,”.

**5 Section 19(2) is amended**

(a) **by striking out** “or sub-zone” **wherever it occurs;**

(b) **by striking out** “or sub-zones” **wherever it occurs.**

**6 Section 20 is amended**

(a) **in subsection (2)**

(i) **by striking out** “or sub-zone” **wherever it occurs;**

(ii) **by striking out** “or sub-zones” **wherever it occurs;**

(b) **in subsection (4) by striking out** “or, in the case of zone 9, in the sub-zone,”.

**7 Section 21 is repealed and the following is substituted:**

**Zones**

**21** For the purposes of this Plan,

- (a) Alberta is divided into 9 zones as set out in the Schedule, and
- (b) each zone is comprised of the lands set out in the Schedule.

**8 Section 22 is amended**

- (a) **in subsection (1) by striking out** “58 zone delegates and 5 sub-zone delegates to be elected pursuant to sections 26 and 27” **and substituting** “63 zone delegates to be elected pursuant to section 26”;
- (b) **by repealing subsection (3).**

**9 Section 23(1) is amended by striking out** “sections 26 and 27” **and substituting** “section 26”.

**10 Section 25 is amended**

- (a) **in subsection (4) by striking out** “zones 4 to 8” **and substituting** “zones 4 to 9”;
- (b) **by repealing subsection (5).**

**11 Section 26 is amended**

- (a) **in subsection (1)**
  - (i) **by striking out** “zones 1 to 8” **and substituting** “zones 1 to 9”;
  - (ii) **in clause (a)(iii) by striking out** “zones 4 to 8” **and substituting** “zones 4 to 9”;
- (b) **in subsection (2)**
  - (i) **in clause (a) by striking out** “zones 1 to 8” **and substituting** “zones 1 to 9”;
  - (ii) **in clause (d) by striking out** “zones 4 to 8” **and substituting** “zones 4 to 9”.

**12 Section 27 is repealed.**

**13 Section 29(1) is amended**

- (a) in clause (a) by striking out “, sub-zone delegate”;
- (b) by striking out “or sub-zone” wherever it occurs.

**14 Section 30 is amended**

- (a) in subsection (1) by striking out “In the case of zones 1 to 8, the term of office of a delegate representing the zone” and substituting “The term of office of a delegate representing a zone”;
- (b) by repealing subsection (2).

**15 Section 31 is amended**

- (a) in subsection (1) by striking out “In the case of zones 1 to 8, if” and substituting “If”;
- (b) by repealing subsection (2).

**16 Section 33 is amended**

- (a) in subsection (1) by striking out “In the case of zones 1 to 8, the” and substituting “The”;
- (b) by repealing subsection (2);
- (c) by repealing subsection (3) and substituting the following:
  - (3) Notwithstanding subsection (1), if a zone delegate or a cattle feeder council delegate is not elected under subsection (1), the position may be filled under section 31.

**17 The heading following section 36.2 is amended by striking out “, Sub-Zone,”.**

**18 Section 37(1) is amended by striking out “In the case of zones 1 to 8, each” and substituting “Each”.**

**19 Section 38 is repealed.**

**20 Section 39 is amended**

- (a) **in subsection (1) by striking out** “In the case of zones 1 to 8, where” **and substituting** “Where”;
- (b) **by repealing subsection (2).**

**21 Section 42 is amended**

- (a) **in subsection (1) by striking out** “With respect to zones 1 to 8, the” **and substituting** “The”;
- (b) **by repealing subsection (2).**

**22 Section 45 is amended**

- (a) **in subsection (1) by striking out** “In the case of zones 1 to 8, in” **and substituting** “In”;
- (b) **by repealing subsection (2);**
- (c) **by repealing subsection (3) and substituting the following:**
  - (3) Where a zone director becomes the chair of the Commission,
    - (a) that zone director is relieved of the duties of the zone director and ceases to be the zone director to represent the zone, and
    - (b) the zone committee shall elect from among the delegates representing the zone another delegate who shall be both
      - (i) the zone director for that zone, and
      - (ii) a zone director of the Commission.
- (d) **by repealing subsection (4) and substituting the following:**
  - (4) Where only one delegate representing the zone has been nominated to fill the position of zone director for a zone, the returning officer shall declare the delegate nominated as being elected by acclamation.
- (e) **by repealing subsection (5) and substituting the following:**

(5) Where a zone director for a zone has not been elected under subsection (1) or (3) and has not been declared elected by acclamation under subsection (4), the Board of Directors shall appoint a delegate representing the zone to the position of zone director and the delegate so appointed shall, subject to the approval of the Council, hold office as zone director as if elected.

**23 Section 46(2) is amended**

- (a) in clause (c) by striking out “in the case of zones 1 to 8,”;
- (b) by repealing clause (d).

**24 Section 49 is amended**

- (a) in subsection (1) by striking out “or (2)”;
- (b) in subsection (6) by striking out “or (2)(b)”;
- (c) in subsection (7) by striking out “or (2)(b)”;
- (d) in subsection (8) by striking out “, (2)(b)”.

**25 Section 58(3) is amended by striking out “, (2)(b)”.**

**26 Section 66(3) is amended by striking out “, (2)(b)”.**

**27 Section 71(4) is amended by striking out “or (2)(b)”.**

**28 Section 71.1(2) is amended by striking out “or (2)(c)”.**

**29 Section 86(b) is amended by striking out “or sub-zone” wherever it occurs.**

**30 Section 87(b) is amended by striking out “or sub-zone” wherever it occurs.**

**31 Section 89 is repealed and the following is substituted:**

**Voting at zone meetings**

**89** An eligible producer who

- (a) is entitled to vote in the zone, and
- (b) is present at the annual zone meeting or special zone meeting, as the case may be,

is eligible to vote

- (c) on each matter put to the question, and
- (d) for such number of candidates for delegates as the eligible producer chooses, not exceeding,
  - (i) in the case of zone delegates, the number of zone delegates to be elected, and
  - (ii) in the case of cattle feeder council delegates, the number of cattle feeder council delegates to be elected.

**32 Section 96(2)(a) is amended by striking out “, special sub-zone meeting”.**

**33 Section 97 is repealed and the following is substituted:**

**Transitional re sub-zone delegates**

**97(1)** A sub-zone delegate who held office immediately before the coming into force of the *Alberta Beef Producers Plan Amendment Regulation* continues to hold office as a zone delegate for zone 9 until the term of office to which the sub-zone delegate was elected expires, or a successor to the position is sooner elected or the sub-zone delegate is otherwise replaced under this Regulation.

**(2)** Notwithstanding sections 26(2)(a)(i) and (d) and 30(1), in the case of zone 9,

- (a) 5 zone delegates shall be elected in 2008 to replace the 5 sub-zone delegates currently serving terms of office, and
  - (i) the term of office of 2 zone delegates elected in accordance with this subsection is one year, and
  - (ii) the term of office of 3 zone delegates elected in accordance with this subsection is 2 years,

and

(b) one cattle feeder council delegate shall be elected in 2008 for a term of 2 years.

(3) The 2 zone delegates for zone 9 who were elected in 2007 continue to hold office until the expiry of their terms of office.

(4) Subject to subsection (5), the term of office of a zone delegate referred to in subsection (2)(a)(i) is not a term of office for the purpose of determining the number of consecutive terms served by the zone delegate pursuant to section 30(5).

(5) Subsection (4) does not apply to a zone delegate referred to in subsection (2)(a)(i) who held office as a sub-zone delegate on the coming into force of the *Alberta Beef Producers Plan Amendment Regulation*.

**34 Section 98 is repealed.**

**35 Section 99 is amended by striking out “July 1, 2008” and substituting “March 31, 2009”.**

**36 The heading following section 100 is amended by striking out “Schedule 1” and substituting “Schedule”.**

**37 Schedule 2 is repealed.**

-----  
**Alberta Regulation 109/2008**

**Rural Utilities Act**

**RURAL UTILITIES AMENDMENT REGULATION**

Filed: June 24, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 277/2008) on June 24, 2008 pursuant to section 55 of the Rural Utilities Act.

**1 The *Rural Utilities Regulation (AR 151/2000)* is amended by this Regulation.**

**2 Section 4 is amended by striking out “Name Regulation (AR 200/84)” and substituting “Cooperatives Regulation (AR 55/2002)”.**

**3 Section 6(1) is repealed and the following is substituted:**

**Functions and duties of the auditor**

**6(1)** The auditor is to make a report to the members

- (a) on the results of the audit with respect to the reserve account, and
- (b) on the financial statement of the association

and that report must be laid before the membership at an annual meeting of the association.

**4 Section 10(2) is repealed.**

**5 Section 11 is repealed and the following is substituted:**

**Distribution of reserve**

**11** Subject to section 15, the board may, with the approval of the Director, authorize the distribution of all or part of the reserve account

- (a) in accordance with any by-laws of the association that provide for a distribution of the reserve account, or
- (b) where there are no by-laws referred to in clause (a), equally among the members of the association.

**6 Section 13 is amended**

**(a) in subsection (1)**

- (i) in clause (b) by adding “or transfers” after “sells”;**
- (ii) by adding “or transfer” after “proceeds of the sale”;**

**(b) in subsection (2)(b) by striking out “for utility services”.**

**7 Section 14(1)(a) is amended by striking out “Schedule 3 of the Energy Grant Regulation (AR 309/86)” and substituting “the Agriculture and Rural Development Grant Regulation (AR 58/98)”.**

**8 Section 15 is repealed and the following is substituted:**

**Sale of works**

**15** Where an association sells all of its works, the sale proceeds and the amount in the reserve account shall be distributed among the members on the basis of the number of utility service contracts held, and the distribution must be made

- (a) in accordance with a method of distribution approved by the membership at a special general meeting of the association called to authorize the sale of the works, or
- (b) where there is no method referred to in clause (a), equally for each service contract held.

**9 Section 16 is amended**

- (a) in subsection (1) by striking out “may” and substituting “must”;
- (b) in subsection (4)(c) by striking out “*Name Regulation* (AR 200/84)” and substituting “*Cooperatives Regulation* (AR 55/2002)”.

**10 Section 20 is amended by striking out “2008” and substituting “2013”.**

**11 Schedule 2 is amended by striking out “*Fee Regulation* (AR 77/92)” and substituting “*Cooperatives Regulation* (AR 55/2002)”.**

**12 Schedule 3 is amended by repealing section 19(2) and (3) and substituting the following:**

- (2) The association shall at all times maintain theft insurance or fidelity insurance against loss or damage caused by officers, employees and directors who carry out the functions of employees.
- (3) The association shall at all times maintain general liability insurance in an amount not less than \$2 000 000 inclusive per occurrence insuring against bodily injury, personal injury and property damage, including loss of use of property.

(4) In this section, “theft insurance”, “fidelity insurance” and “general liability insurance” have the meaning given to them by the *Classes of Insurance Regulation* (AR 121/2001).

-----  
**Alberta Regulation 110/2008**

**Seniors Benefit Act**

**SENIORS BENEFIT ACT GENERAL AMENDMENT REGULATION**

Filed: June 24, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 280/2008) on June 24, 2008 pursuant to section 6 of the Seniors Benefit Act.

**1 The *Seniors Benefit Act General Regulation* (AR 213/94) is amended by this Regulation.**

**2 Section 1(1) is amended**

(a) **in clause (f) by striking out** “either 5% of employment income or” **and substituting** “the greater of employment income up to a maximum of \$3600 and”;

(b) **by repealing clause (j.2) and substituting the following:**

(j.2) “total income” means,

- (i) in respect of a person or each individual in a senior couple,
  - (A) the total income shown on line 150 of the Notice of Assessment in respect of the income tax return filed by the person under the *Income Tax Act* (Canada), or
  - (B) if a Notice of Assessment is not available, the amount that is determined by the Minister using the same income information that would have been used by the person to report total income on line 150 of an income tax return,
- (ii) in respect of a senior couple, the sum of each individual’s total income determined in accordance with subclause (i), and

- (iii) in respect of a senior couple where the 2 individuals have jointly elected to split pension income, the sum of
  - (A) the amount shown on line 150 less the amount shown on line 210 of the Notice of Assessment in respect of the income tax return filed under the *Income Tax Act* (Canada) by the individual who is receiving the pension, and
  - (B) the amount shown on line 150 of the Notice of Assessment in respect of the income tax return filed under the *Income Tax Act* (Canada) by the other individual,

where the amount deducted on line 210 of the Notice of Assessment of the individual who is receiving the pension and the amount claimed on line 116 of the other individual's Notice of Assessment are the same.

**3 Section 8.1(1) is amended**

- (a) **in clause (c) by striking out “\$22 200” and substituting “\$22 700 after deducting the supplementary accommodation assistance benefit paid to the single senior in the previous year”;**
- (b) **by repealing clause (d) and substituting the following:**
  - (d) whose total income as defined in section 1(1)(j.2)(ii) or (iii), where the applicant is part of a senior couple, is \$36 900 after deducting the supplementary accommodation assistance benefit paid to each of the individuals in the previous year,

**4 The Schedule is amended in the Table**

- (a) **in Part 1**
  - (i) **by striking out “17.54%” wherever it occurs and substituting “17.17%”;**
  - (ii) **by striking out “17.83%” wherever it occurs and substituting “17.27%”;**

(iii) **by striking out** “11.33%” **and substituting** “11.09%”;

(iv) **by striking out** “15.35%” **and substituting** “14.87%”;

(b) **in Part 3 by striking out** “46.78%” **wherever it occurs and substituting** “45.81%”.

**5 This Regulation comes into force on July 1, 2008.**

-----  
**Alberta Regulation 111/2008**

**Freedom of Information and Protection of Privacy Act**

**FREEDOM OF INFORMATION AND PROTECTION OF  
PRIVACY AMENDMENT REGULATION**

Filed: June 24, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 281/2008) on June 24, 2008 pursuant to section 94 of the Freedom of Information and Protection of Privacy Act.

**1 The *Freedom of Information and Protection of Privacy Regulation* (AR 200/95) is amended by this Regulation.**

**2 Section 19 is amended by striking out “2008” and substituting “2009”.**

-----  
**Alberta Regulation 112/2008**

**Wildlife Act**

**WILDLIFE (2008 HUNTING SEASON — JOINT AUTHORITY)  
AMENDMENT REGULATION**

Filed: June 24, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 286/2008) jointly with the Minister of Sustainable Resource Development (M.O. 07/08) on June 24, 2008 pursuant to sections 103 and 104 of the Wildlife Act and sections 1(b) and 2 of the Wildlife Regulation (AR 143/97).

**1 The *Wildlife Regulation* (AR 143/97) is amended by this Regulation.**

**2 Schedule 1 is amended in section 4(1) by adding the following after clause (k):**

- (l) a resident minor who has reached 12 years of age and has successfully completed the Alberta Conservation and Hunter Education Program, while hunting upland game birds on the fourth Saturday of September.

-----  
**Alberta Regulation 113/2008**

**Wildlife Act**

**WILDLIFE (RESIDENT MINOR, GAME BIRD, MINISTERIAL 2008)  
AMENDMENT REGULATION**

Filed: June 24, 2008

For information only: Made by the Minister of Sustainable Resource Development (M.O. 06/08) on June 24, 2008 pursuant to sections 12, 23 and 103(1) of the Wildlife Act.

**1 The *Wildlife Regulation* (AR 143/97) is amended by this Regulation.**

**2 Section 10 of Schedule 15 is amended by adding the following after subsection (6):**

- (7) A resident minor who has reached 12 years of age and who is described in section 4(1)(l) of Schedule 1 or a resident youth who holds an applicable licence to hunt upland game birds may, on the fourth Saturday of September, hunt within any of game bird zones 1 to 8 a species of upland game bird provided that an open season exists to hunt that species within that game bird zone as provided for in Table 6, regardless of whether that open season occurs at the same time or if it is a season that occurs before or later as set out in that Table.

**Alberta Regulation 114/2008**  
**Energy Resources Conservation Act**  
**ENERGY RESOURCES CONSERVATION BOARD ADMINISTRATION**  
**FEES REGULATION**

Filed: June 26, 2008

For information only: Made by the Energy Resources Conservation Board on June 25, 2008 pursuant to section 27.2 of the Energy Resources Conservation Act.

*Table of Contents*

<b>1</b>	Definitions
<b>2</b>	Rate payable by operator
<b>3</b>	Wells
<b>4</b>	Coal mines
<b>5</b>	Oil sands projects
<b>6</b>	Notice
<b>7</b>	Penalty
<b>8</b>	Appeal
<b>9</b>	Recovery of fees
<b>10</b>	Liability for payment
<b>11</b>	Expiry
<b>12</b>	Consequential amendment

**Definitions**

**1** In this Regulation,

- (a) “administration fee production” means,
  - (i) in the case of an oil well, the annual base year production from the well in cubic metres, and
  - (ii) in the case of a gas well, the annual base year production from the well in thousand cubic metres adjusted by the conversion factor set out in section 3(5) to make it comparable to oil;
- (b) “base year” means the calendar year immediately preceding the fiscal year during which the administration fee is imposed;
- (c) “fiscal year” means the fiscal year of the Board;
- (d) “gas well” means a well licensed and designated by the Board as a gas well;
- (e) “oil well” means a well licensed and designated by the Board as an oil well;

- (f) “service well” means a well licensed and classified by the Board as one of injection, disposal or storage well.

**Rate payable by operator**

**2(1)** In each fiscal year, every person who, on the prescribed date, was the operator of a well, coal mine or oil sands project shall pay an administration fee in accordance with this Regulation.

**(2)** For the purpose of this Regulation, the prescribed date for the 2008-09 fiscal year is December 31, 2007.

**Wells**

**3(1)** An operator of a well shall pay an administration fee calculated as follows with respect to each individual well within each class of well, multiplied by the annual adjustment factor set out in subsection (2):

- (a) Class 1 - \$100 per well;
- (b) Class 2 - \$100 per well;
- (c) Class 3 - \$125 per well;
- (d) Class 4 - \$312 per well;
- (e) Class 5 - \$750 per well;
- (f) Class 6 - \$1250 per well;
- (g) Class 7 - \$1625 per well;
- (h) Class 8 - \$1875 per well.

**(2)** For the 2008-09 fiscal year, the annual adjustment factor is 1.302723.

**(3)** For the purposes of this section, wells subject to an administration fee are classed as follows:

- (a) Class 1 - service wells;
- (b) Class 2 - wells having administration fee production volumes during the base year of up to 300.00 cubic metres;
- (c) Class 3 - wells having administration fee production volumes during the base year greater than 300.00 cubic metres, up to 600.00 cubic metres;

- (d) Class 4 - wells having administration fee production volumes during the base year greater than 600.00 cubic metres, up to 1200.00 cubic metres;
  - (e) Class 5 - wells having administration fee production volumes during the base year greater than 1200.00 cubic metres, up to 2000.00 cubic metres;
  - (f) Class 6 - wells having administration fee production volumes during the base year greater than 2000.00 cubic metres, up to 4000.00 cubic metres;
  - (g) Class 7 - wells having administration fee production volumes during the base year greater than 4000.00 cubic metres, up to 6000.00 cubic metres;
  - (h) Class 8 - wells having administration fee production volumes during the base year greater than 6000.00 cubic metres.
- (4)** The following wells are exempt from payment of an administration fee:
- (a) all wells reporting no production for the base year or for previous years, during the base year;
  - (b) all wells categorized by the Board as abandoned at December 31 of the base year;
  - (c) all wells categorized by the Board as farm gas as of December 31 of the base year;
  - (d) service wells that reported no injection/disposal receipts during the base year according to Board records at December 31 of the base year.
- (5)** The conversion factor for the purpose of section 1(a)(ii) is 1.00.

**Coal mines**

**4(1)** In this section, “coal production” means the total tons of coal mined in Alberta by an operator of a coal mine in the 2007 calendar year.

**(2)** An operator of a coal mine shall pay an administration fee with respect to a coal mine calculated as follows:

coal production x \$0.046117 for each tonne of coal = administration fee.

**Oil sands projects**

**5(1)** For the purposes of this section, oil sands projects subject to an administration fee are classed as follows:

- (a) Class 1 - primary oils sands projects, consisting of projects producing bitumen volumes by cold flow method in the base year;
- (b) Class 2 - thermal on-going oil sands projects, consisting of projects producing bitumen volumes by enhanced recovery method, (including projects that are experimental schemes within the meaning of the *Oil Sands Conservation Act*) in the base year;
- (c) Class 3 - thermal growth oil sands projects, consisting of projects where
  - (i) the maximum amount of bitumen volumes that may be produced by enhanced recovery method is set out in the approval, and
  - (ii) the approval was issued or was last amended to change the maximum amount within the 5-year period ending on December 31 of the base year;
- (d) Class 4 - mining on-going oil sands projects, consisting of projects producing bitumen volumes by mining in the base year;
- (e) Class 5 - mining growth oil sands projects, consisting of projects where
  - (i) the maximum amount of bitumen volumes that may be produced by mining is set out in the approval or in the application for the approval or for an amendment to the approval, and
  - (ii) the approval was issued or last amended to change the maximum amount or the most recent application for an amendment to change the maximum amount was made, as the case may be, within the 7-year period ending on December 31 of the base year.

**(2)** An operator of one or more approved oil sands projects shall pay an administration fee calculated in accordance with subsections (4) to (8).

**(3)** An operator of a portion of an oil sands project shall pay an administration fee calculated in accordance with subsections (4) to (8) that is proportionate to that operator's portion of the oil sands project.

(4) The administration fee payable by an operator of one or more Class 1 approved oil sands projects is the amount calculated in accordance with the following formula:

$$\text{Fee for Class 1} = [(A \times \$5000) + B + (C \times \text{total bitumen volumes produced in the base year by the operator's Class 1 oil sands projects})] \times 2.041806$$

where

- A is the number of Class 1 oil sands projects approvals held by the operator;
- B is the fixed amount selected from Table A which corresponds to the applicable production range from Table A that contains the total bitumen volumes produced in the base year by the operator's Class 1 oil sands projects;
- C is the variable rate selected from Table A which corresponds to the applicable production range from Table A that contains the total bitumen volumes produced in the base year by the operator's Class 1 oil sands projects.

(5) The administration fee payable by an operator of one or more Class 2 approved oils sands projects is the amount calculated in accordance with the following formula:

$$\text{Fee for Class 2} = [(A \times \$5000) + B + (C \times \text{total bitumen volumes produced in the base year by the operator's Class 2 oil sands projects})] \times 1.890394$$

where

- A is the number of Class 2 oil sands projects approvals held by the operator;
- B is the fixed amount selected from Table A which corresponds to the applicable production range from Table A that contains the total bitumen volumes produced in the base year by the operator's Class 2 oil sands projects;
- C is the variable rate selected from Table A which corresponds to the applicable production range from Table A that contains the total bitumen volumes produced in the base year by the operator's Class 2 oil sands projects.

(6) The administration fee payable by an operator of one or more Class 3 approved oil sands projects is the amount, in respect of each project, calculated in accordance with the following formula:

$$\text{Fee for Class 3 project} = [\$5000 + A + (B \times C)] \times 2.050056$$

where

- A is the fixed amount selected from Table A which corresponds to the applicable production range from Table A that contains the amount that is determined by dividing the difference between the maximum amount of bitumen volumes that may be produced by the project in the base year under the approval and the volumes that were actually produced by the age of the approval or the most recent amended approval, calculated from the date of issuance to December 31 of the base year and rounded up to a full year (but if the bitumen volumes produced exceed the maximum amount that may be produced, A is \$5000);
- B is the variable rate selected from Table A which corresponds to the applicable production range from Table A that contains the amount that is determined by dividing the difference between the maximum amount of bitumen volumes that may be produced by the project in the base year under the approval and the volumes that were actually produced by the age of the approval or the most recent amended approval, calculated from the date of issuance to December 31 of the base year and rounded up to a full year (but if the project did not produce any bitumen in the base year or if the bitumen volumes produced exceed the maximum amount that may be produced, B is 0);
- C is the amount determined by dividing the difference between the maximum amount of bitumen volumes that may be produced by the project in the base year under the approval and the volumes that were actually produced by the age of the approval or the most recent amended approval, calculated from the date of issuance to December 31 of the base year and rounded up to a full year.

(7) The administration fee payable by an operator of one or more Class 4 approved oil sands projects is the amount calculated in accordance with the following formula:

Fee for Class 4 = [(A x \$10000) + B + (C x total bitumen volumes produced in the base year by the operator's Class 4 oil sands projects)] x 1.776024

where

- A is the number of Class 4 oil sands project approvals held by the operator;
- B is the fixed amount selected from Table B which corresponds to the applicable production range from Table B that contains the total bitumen volumes produced in the base year by the operator's Class 4 oil sands projects;
- C is the variable rate selected from Table B which corresponds to the applicable production range from Table B that contains the total bitumen volumes produced in the base year by the operator's Class 4 oil sands projects.

**(8)** The administration fee payable by an operator of one or more Class 5 approved oil sands projects is the amount, in respect of each project, calculated in accordance with the following formula:

Fee for Class 5 project = [\$10 000 + A + (B x C)] x 2.020267

where

- A is the fixed amount selected from Table B which corresponds to the applicable production range from Table B that contains the amount that is determined by dividing the difference between the maximum amount of bitumen volumes that may be produced by the project in the base year under the application or approval and the volumes that were actually produced by the age of the approval, the most recent amended approval or the most recent application for an amendment to the approval, calculated from the date of issuance to December 31 of the base year and rounded up to a full year (but if the bitumen volumes produced exceed the maximum amount that may be produced, A is \$2500);
- B is the variable rate selected from Table B which corresponds to the applicable production range from Table B that contains the amount that is determined by dividing the difference between the maximum amount of bitumen volumes that may be produced by the project in the base year under the application or approval and the volumes that were actually produced by the age of

the approval, the most recent amended approval or the most recent application for an amendment to the approval, calculated from the date of issuance to December 31 of the base year and rounded up to a full year (but if the project did not produce any bitumen in the base year or if the bitumen volumes produced exceed the maximum amount that may be produced, B is 0);

- C is the amount determined by dividing the difference between the maximum amount of bitumen volumes that may be produced by the project in the base year under the application or approval and the volumes that were actually produced by the age of the approval, the most recent amended approval or the most recent application for an amendment to the approval, calculated from the date of issuance to December 31 of the base year and rounded up to a full year.

**Notice**

**6(1)** A notice of an administration fee determined under this regulation must be mailed to each person who was, according to the records of the Board, an operator on the prescribed date of one or more wells, one or more coal mines or one or more oil sands projects.

**(2)** A notice under this section must

- (a) contain or be accompanied with a copy of this Regulation,
- (b) set out, in respect of each class of wells, coal mines and oil sands projects, a brief description of the wells, coal mines and oil sands projects of which the person to whom the notice is given was the operator on the prescribed date according to the records of the Board,
- (c) set out the amount of the administration fee in respect of each well, coal mine and oil sands project described in the notice, and
- (d) contain a demand for the payment of the total amount of the administration fees.

**(3)** A notice under this section is sufficiently given if it is mailed to the person referred to in subsection (1) at that person's address in Alberta according to the records of the Board at the time of mailing.

**(4)** If a notice is given in accordance with subsections (1) to (3) but it is later determined in an appeal under section 8 or in an action under section 9 that the person to whom the notice was given was not the

operator on the prescribed date of a well, coal mine or oil sands project described in the notice, the Board may give a notice that complies with subsection (2) to the person, if any, who was determined in the appeal or in the action to have been the operator of the well, coal mine or oil sands project on the prescribed date.

(5) If the Board determines, otherwise than as a result of an appeal under section 8, that a notice has been given under subsection (1) or (4) to any person in error or that the amount of the administration fee set out in the notice is incorrect, the Board may withdraw the notice and issue a corrected notice in its place.

**Penalty**

7(1) The administration fee set out in the notice must be paid by the operator within 30 days of the mailing date shown on the notice.

(2) Any administration fee or part of the fee not paid within 30 days of the mailing date shown on the notice is subject to the addition of a penalty of 20% of the unpaid administration fee unless the Board otherwise orders.

(3) Where an operator appeals, in accordance with section 8, the penalty set out in subsection (2) must be calculated on the basis of the amount for which the operator is found liable on appeal and the administration fee and penalty is payable immediately on the disposition of the appeal.

**Appeal**

8(1) A person to whom a notice is given under section 6 may appeal to the Board by serving on the Board a Notice of Appeal within 30 days of the mailing date shown on the notice on any one or more of the following grounds:

- (a) that the person was not the operator on the prescribed date of any of the wells, coal mines or oil sands projects described in the notice or of any particular wells or oil sands projects described in the notice;
- (b) that the administration fee set out in the notice for one or more of the wells, coal mines or oil sands projects is incorrect;
- (c) on any other grounds that the Board considers proper.

(2) The Board shall hear an appeal on grounds set out in subsection (1)(a) or (b) and may hear an appeal on any other grounds the Board considers proper.

(3) The Notice of Appeal must be signed by the appellant and must set out the name of the appellant, the name of the agent, if any, of the appellant, the grounds and particulars of the appeal and the address to which all further correspondence concerning the appeal must be mailed.

(4) The Notice of Appeal must be served on the Board at the Board's Calgary office no later than 4:00 p.m. on the last day for receipt of appeals, and appeals received after that time may be heard by the Board in its discretion.

(5) Within 60 days from the day for receipt of appeals, the Board shall send to the appellant a Notice of Hearing.

(6) On the date set out in the Notice of Hearing, the Board shall hear the appeal and may decide the appeal at that time or defer its decision.

**Recovery of fees**

**9(1)** Any administration fees and penalties owing to the Board under this Regulation may be recovered by the Board in an action in debt against the person liable to pay it.

(2) If a notice is given in accordance with section 6 and, in respect of any well, coal mine or oil sands project described in the notice,

- (a) no appeal is taken to the Board under this regulation by the person to whom the notice is given within the time prescribed, or
- (b) the appeal is not prosecuted with reasonable speed or is later discontinued or abandoned or is dismissed by the Board,

that person is, subject to subsection (3), estopped from denying that the person was the operator of the well, coal mine or oil sands project on the prescribed date in an action by the Board under this section for the recovery of the administration fee imposed in respect of that well, coal mine or oil sands project.

(3) If the defendant in an action under this section had previously appealed to the Board under this Regulation or any predecessor of this Regulation on the ground that the defendant was not, on the prescribed date, the operator of the well, coal mine or oil sands project concerned and the Board after hearing evidence relating to that ground made a finding that the defendant was the operator on the prescribed date, subsection (2) does not apply, but the burden is on the defendant to prove that the defendant was not the operator of the well, coal mine or oil sands project concerned on the prescribed date.

(4) The defendant in an action under subsection (1) may join as a co-defendant any person the defendant claims was the operator on the prescribed date of the well, coal mine or oil sands project concerned and, in that event, the court may, if it upholds the claim, give judgment against that co-defendant for the amount of the administration fees and penalties owing by that co-defendant.

**Liability for payment**

**10** If the operator who is liable for an administration fee

- (a) was not the operator on the prescribed date of any of the wells, coal mines or oil sands projects described in the notice or of any particular wells, coal mines or oil sands projects, or
- (b) is no longer in Alberta, has become bankrupt or insolvent, is no longer carrying on business in Alberta, refuses to pay or does not pay,

the liability for the payment of the administration fee is on the person who was the licensee of the well or coal mine or holder of the approval under the *Oil Sands Conservation Act* for the project, as the case may be, on the prescribed date.

**Expiry**

**11** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repressed in its present or an amended form following a review, this Regulation expires on August 1, 2013.

**Consequential amendment**

**12** The *Oil and Gas Conservation Regulations (AR 151/71)* are amended by repealing Part 16.

**Table A**

**Production Range (m3)**

<b>Minimum</b>	<b>Maximum</b>	<b>Fixed Amount (\$)</b>	<b>Variable rate</b>
0	4999	5000	0
5000	19 999	5000	0.5000
20 000	49 999	9000	0.3000
50 000	349 999	15 000	0.1800
350 000	2 499 999	50 000	0.0800
2 500 000	4 999 999	100 000	0.0600

---

AR 114/2008 ENERGY RESOURCES CONSERVATION

---

5 000 000	9 999 999	200 000	0.0400
10 000 000	19 999 999	380 000	0.0220
20 000 000	29 999 999	570 000	0.0125
30 000 000		700 000	0.0100

**Table B**

**Production Range (m3)**

<b>Minimum</b>	<b>Maximum</b>	<b>Fixed Amount (\$)</b>	<b>Variable rate</b>
0	4999	2500	0
5000	19 999	2500	0.4000
20 000	49 999	6250	0.2125
50 000	349 999	10 000	0.1375
350 000	2 499 999	25 000	0.0946
2 500 000	4 999 999	65 000	0.0786
5 000 000	9 999 999	125 000	0.0666
10 000 000	19 999 999	200 000	0.0591
20 000 000	29 999 999	325 000	0.0529
30 000 000		500 000	0.0471

-----  
**Alberta Regulation 115/2008**

**Oil and Gas Conservation Act**

**OIL AND GAS CONSERVATION AMENDMENT REGULATION**

Filed: June 26, 2008

For information only: Made by the Energy Resources Conservation Board on June 25, 2008 pursuant to section 10(1) of the Oil and Gas Conservation Act.

**1 The *Oil and Gas Conservation Regulations* (AR 151/71) are amended by this Regulation.**

**2 Section 1.020(2)5(ii) is repealed and the following is substituted:**

- (ii) a well that has been designated by the Board pursuant to section 7.025(1) or (2) as a control well for the purposes of obtaining data required by that section;

**3 Section 7.025 is amended**

**(a) by adding the following after subsection (2):**

**(2.1)** Notwithstanding subsections (1) and (2), the Board may, on application by a licensee of a well, grant a deferral or relief from any or all of the requirements set out in this section.

**(b) by repealing subsection (3) and substituting the following:**

**(3)** A licensee shall submit an application for the designation of control wells or for the deferral of, or relief from, control well requirements in accordance with Directive 062, "Coalbed Methane (CBM) Control Well Requirements and Related Matters".

-----  
**Alberta Regulation 116/2008**

**Apprenticeship and Industry Training Act**

**DESIGNATION OF OCCUPATIONS AMENDMENT REGULATION**

Filed: June 27, 2008

For information only: Made by the Minister of Advanced Education and Technology on June 25, 2008 pursuant to section 36(1) of the Apprenticeship and Industry Training Act.

**1 The *Designation of Occupations Amendment Regulation* (AR 31/2008) is amended in section 3 by striking out "July 1" and substituting "August 1".**

-----  
**Alberta Regulation 117/2008**

**Child, Youth and Family Enhancement Act**

**ADOPTION AMENDMENT REGULATION**

Filed: June 27, 2008

For information only: Made by the Minister of Children and Youth Services (M.O. 2008-01) on June 16, 2008 pursuant to section 131(2) of the Child, Youth and Family Enhancement Act.

**1 The *Adoption Regulation* (AR 187/2004) is amended by this Regulation.**

**2 Section 4(1) is amended**

- (a) in clause (a) by striking out “\$100” and substituting “\$200”;**
- (b) in clause (b) by striking out “\$50” and substituting “\$100”.**

**3 Section 13(6) is repealed and the following is substituted:**

**(6)** In the case of a proposed adoption placement of a child whose biological father is not also a guardian of the child, the agency must, before placing the child with the approved applicant, notify or make reasonable efforts to notify the child’s biological father of the proposed adoption placement.

**4 Section 33 is repealed.**

**5 Section 2 of Form 1 is amended**

- (a) by striking out “\$100” and substituting “\$200”;**
- (b) by striking out “\$50” and substituting “\$100”.**