

Alberta Regulation 145/2008

School Act

CAPITAL BORROWING AMENDMENT REGULATION

Filed: August 25, 2008

For information only: Made by the Minister of Education (M.O. 024/2008) on August 21, 2008 pursuant to section 183(4) of the School Act.

1 The *Capital Borrowing Regulation (AR 188/98)* is amended in section 10 by striking out “August 31, 2008” and substituting “February 28, 2009”.

Alberta Regulation 146/2008

Fair Trading Act

GIFT CARD REGULATION

Filed: August 26, 2008

For information only: Made by the Minister of Service Alberta (M.O. 011/2008) on August 25, 2008 pursuant to section 4.1 of the Fair Trading Act.

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Definitions

1 In this Regulation,

- (a) “Act” means the *Fair Trading Act*;
- (b) “prepaid purchase card” means a written certificate, electronic card or other voucher or payment device with a monetary value for which a purchaser provides consideration and that

- (i) may or may not be increased in value or reloaded,
 - (ii) is purchased or loaded on a prepaid basis in a specific amount for the future purchase or delivery of goods or services, and
 - (iii) is honoured on presentation to a supplier,
and includes a gift card and gift certificate;
- (c) “supplier” means a person who, in the course of the person’s business,
- (i) sells or offers for sale prepaid purchase cards, or
 - (ii) honours prepaid purchase cards on presentation,
and includes any salesperson, employee, representative or agent of the person.

Prohibition against expiry date

2(1) No supplier shall offer for sale or sell a prepaid purchase card that has an expiry date.

(2) If a prepaid purchase card has an expiry date that has not expired on the coming into force of this Regulation, the expiry date has no effect.

Fees

3(1) A supplier may charge a purchaser a one-time fee for activating a prepaid purchase card at the time the prepaid purchase card is purchased.

(2) A supplier may charge a fee for replacing a lost or stolen prepaid purchase card.

(3) A supplier may charge a fee to customize a prepaid purchase card.

(4) No supplier may charge a fee other than those authorized in this section.

(5) Subsection (4) applies to prepaid purchase cards sold before, on or after the day on which this Regulation comes into force.

Unfair practices

4 The following activities are unfair practices for the purposes of the Act:

- (a) the offering for sale and the sale of prepaid purchase cards in contravention of section 2;
- (b) the charging or deduction of a fee from the balance remaining on a prepaid purchase card in contravention of section 3;
- (c) the refusal to accept a prepaid purchase card as partial payment on a purchase;
- (d) the withholding of any unused balance remaining after a prepaid purchase card has been used.

Disclosure requirements

5(1) A supplier that sells a prepaid purchase card shall, in a clear and comprehensible manner, disclose any terms and conditions that affect the use of the prepaid purchase card on the prepaid purchase card itself and on any packaging or promotional materials associated with the prepaid purchase card.

(2) Without limitation, the terms and conditions that must be disclosed include the following:

- (a) contact information for the purpose of obtaining information about the prepaid purchase card, including the balance remaining on the prepaid purchase card;
- (b) any restrictions, limitations or conditions that the supplier imposes on the use of the prepaid purchase card, including without limitation
 - (i) that the prepaid purchase card cannot be exchanged for cash,
 - (ii) that the prepaid purchase card cannot be used to make a payment on a credit account, and
 - (iii) the return policy that will apply to purchases made with the prepaid purchase card.

Proof of purchase

6 A supplier that sells a prepaid purchase card must provide the purchaser with a receipt as proof of purchase at the time of the sale.

Offences

7 Any supplier that contravenes section 2, 3(4), 4, 5 or 6 is guilty of an offence.

Expiry

8 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on October 31, 2013.

Coming into force

9 This Regulation comes into force on November 1, 2008.

Alberta Regulation 147/2008

Marketing of Agricultural Products Act

ALBERTA MILK PLAN AMENDMENT REGULATION

Filed: August 27, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 407/2008) on August 27, 2008 pursuant to section 23 of the Marketing of Agricultural Products Act.

1 The *Alberta Milk Plan Regulation (AR 150/2002)* is amended by this Regulation.

2 Section 1(bb) is repealed.

3 Section 5(4) is repealed.

4 Section 10 is amended

(a) in subsection (4) by adding “present at the annual or special region meetings held” **after** “a vote of the majority of licensed producers”;

(b) in subsection (5) by adding “and the total number of votes shall be tallied to determine if a majority of producers present at the meetings held throughout Alberta have voted to approve the change to the service charge” **after** “meeting”.

5 Section 25(2) is amended

(a) in clause (a) by adding “annual general meeting that follows the” **before** “annual region meeting”;

- (b) in clause (b) by adding “annual general meeting that follows the” before “annual region meeting”.

6 Section 26(2) is amended by adding “(d), (e), (f), (g), (h), (i) and (j)” after “(1)”.

7 Section 39 is amended

- (a) in clause (c) by striking out “executive director” and substituting “2nd vice-chair”;
- (b) in clause (d) by striking out “executive director” and substituting “2nd vice-chair”;
- (c) in clause (e) by striking out “executive director” and substituting “2nd vice-chair”.

8 Section 40(2) and (3) are amended by striking out “executive director” and substituting “2nd vice-chair”.

9 Section 43 is amended

- (a) in subsection (2)(b)(i) and (ii) by adding “the annual general meeting following” before “the annual region meeting” wherever it occurs;
- (b) in subsection (7) by striking out “3 years” and substituting “one year”.

10 Section 56 is repealed and the following is substituted:

Tie vote

56(1) If there are more than 2 nominations for the position and a tie vote occurs between 2 or more of the candidates that received the largest number of votes, the candidates with the smaller number of votes shall be eliminated and a 2nd election for the position shall be immediately held among the tied candidates.

(2) If there are only 2 nominations for the position and a tie vote occurs, a 2nd election for the position shall be immediately held among the tied candidates and, if a tied vote occurs again, the returning officer shall immediately select, by draw, the candidate for the position and that person is deemed to have been elected to the position.

11 Section 61 is amended by striking out “February 28, 2009” and substituting “February 28, 2014”.

Alberta Regulation 148/2008

Assured Income for the Severely Handicapped Act

ASSURED INCOME FOR THE SEVERELY HANDICAPPED GENERAL AMENDMENT REGULATION

Filed: August 27, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 412/2008) on August 27, 2008 pursuant to section 12 of the Assured Income for the Severely Handicapped Act.

1 The Assured Income for the Severely Handicapped General Regulation (AR 91/2007) is amended by this Regulation.

2 Section 16 is amended by striking out “2008” and substituting “2011”.

Alberta Regulation 149/2008

Judicature Act

COMPENSATION COMMISSION REPEAL REGULATION

Filed: August 27, 2008

For information only: Made by the Lieutenant Governor in Council (O.C. 426/2008) on August 27, 2008 pursuant to section 42 of the Judicature Act.

1 The following regulations are repealed:

- (a) Alberta Provincial Judges Compensation Commission Regulation (AR 111/2006);**
- (b) Justices of the Peace Compensation Commission Regulation (AR 222/2006);**
- (c) Justices of the Peace Compensation Commission Regulation (AR 242/2003).**