

**Alberta Regulation 10/2017**  
**Oil and Gas Conservation Act**  
**OIL AND GAS CONSERVATION (ORPHAN FUND LEVY)**  
**RULES AMENDMENT REGULATION**

Filed: February 6, 2017

For information only: Made by the Alberta Energy Regulator on December 8, 2016 pursuant to section 73 of the Oil and Gas Conservation Act.

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

**2 Section 16.530(1) is amended by striking out “August 6, 2016” wherever it occurs and substituting “February 4, 2017”.**

-----  
**Alberta Regulation 11/2017**  
**Pharmacy and Drug Act**  
**SCHEDULED DRUGS AMENDMENT REGULATION**

Filed: February 6, 2017

For information only: Made by the Minister of Health (M.O. 03/2017) on January 17, 2017 pursuant to section 34(1) of the Pharmacy and Drug Act.

**1 The *Scheduled Drugs Regulation (AR 66/2007)* is amended by this Regulation.**

**2 Section 1(2) is repealed.**

**3 Section 2 is amended**

**(a) in subsection (1) by repealing clause (b.1);**

**(b) in subsection (2) by adding the following after clause (d):**

**(e) naloxone and its salts, when indicated for emergency use for opioid overdose outside hospital settings.**

**Alberta Regulation 12/2017**

**Climate Leadership Act**

**CLIMATE LEADERSHIP (MINISTERIAL) REGULATION**

Filed: February 7, 2017

For information only: Made by the President of Treasury Board, Minister of Finance on January 30, 2017 pursuant to section 32(8) of the Climate Leadership Act.

**Small amounts owing or for refund**

**1** The amount prescribed for the purpose of section 32(6) of the Act is \$20.

-----  
**Alberta Regulation 13/2017**

**Municipal Government Act**

**ATHABASCA REGIONAL WASTE MANAGEMENT SERVICES  
COMMISSION AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 034/2017) on February 15, 2017 pursuant to section 602.02 of the Municipal Government Act.

**1** *The Athabasca Regional Waste Management Services Commission Regulation (AR 259/98) is amended by this Regulation.*

**2** **Section 2 is amended by adding the following after clause (d):**

- (e) Summer Village of Mewatha Beach;
- (f) Summer Village of South Baptiste;
- (g) Summer Village of West Baptiste;
- (h) Summer Village of Whispering Hills;
- (i) Summer Village of Island Lake South;
- (j) Summer Village of Bondiss;
- (k) Summer Village of Island Lake.

**Alberta Regulation 14/2017**

**Municipal Government Act**

**SHIRLEY MCCLELLAN REGIONAL WATER SERVICES  
COMMISSION AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 035/2017) on February 15, 2017 pursuant to section 602.02 of the Municipal Government Act.

**1 The *Shirley McClellan Regional Water Services Commission Regulation (AR 212/2007)* is amended by this Regulation.**

**2 Section 2 is amended by repealing clauses (a) and (b).**

-----  
**Alberta Regulation 15/2017**

**Municipal Government Act**

**WESTLOCK REGIONAL WATER SERVICES  
COMMISSION AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 036/2017) on February 15, 2017 pursuant to section 602.02 of the Municipal Government Act.

**1 The *Westlock Regional Water Services Commission Regulation (AR 167/2008)* is amended by this Regulation.**

**2 Section 3 is amended by adding “and a water treatment system” after “water transmission system”.**

**Alberta Regulation 16/2017**

**Safety Codes Act**

**ELEVATING DEVICES, PASSENGER ROPEWAYS AND  
AMUSEMENT RIDES PERMIT (EXPIRY DATE  
EXTENSION) AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 037/2017) on February 15, 2017 pursuant to section 65 of the Safety Codes Act.

**1 The *Elevating Devices, Passenger Ropeways and Amusement Rides Permit Regulation (AR 28/2012)* is amended by this Regulation.**

**2 Section 13 is amended by striking out “February 28, 2017” and substituting “February 28, 2022”.**

-----  
**Alberta Regulation 17/2017**

**Alberta Investment Management Corporation Act**

**ALBERTA INVESTMENT MANAGEMENT CORPORATION  
AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 039/2017) on February 15, 2017 pursuant to section 20 of the Alberta Investment Management Corporation Act.

**1 The *Alberta Investment Management Corporation Regulation (AR 225/2007)* is amended by this Regulation.**

**2 Sections 5 and 6 are repealed.**

**Alberta Regulation 18/2017**

**Emergency Management Act**

**GOVERNMENT EMERGENCY MANAGEMENT  
AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 041/2017) on February 15, 2017 pursuant to section 6 of the Emergency Management Act.

**1 The *Government Emergency Management Regulation (AR 248/2007)* is amended by this Regulation.**

**2 Section 1(f)(ii) is amended by striking out “Corporate Human Resources” and substituting “the Public Service Commission”.**

**3 This Regulation comes into force on the coming into force of sections 6 and 7 of the *Miscellaneous Statutes Amendment Act, 2016 (No. 2)*.**

-----  
**Alberta Regulation 19/2017**

**Alberta Personal Property Bill of Rights**

**EXEMPTION AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 046/2017) on February 15, 2017 pursuant to section 5 of the Alberta Personal Property Bill of Rights.

**1 The *Exemption Regulation (AR 125/99)* is amended by this Regulation.**

**2 Section 7 is amended by striking out “February 28, 2017” and substituting “February 28, 2020”.**

**Alberta Regulation 20/2017**

**Various Acts**

**HEALTH REGULATIONS AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 049/2017) on February 15, 2017 pursuant to the Mental Health Act, the Crown's Right of Recovery Act and the Health Information Act.

**1 The *Community Treatment Order Regulation* (AR 337/2009) is amended in section 10 by striking out "February 28, 2017" and substituting "February 28, 2020".**

**2 The *Crown's Right of Recovery Regulation* (AR 87/2012) is amended by repealing section 10.**

**3 The *Health Information Regulation* (AR 70/2001) is amended in section 14 by striking out "April 30, 2017" and substituting "April 30, 2018".**

-----  
**Alberta Regulation 21/2017**

**Government Organization Act**

**CALGARY RESTRICTED DEVELOPMENT AREA  
AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 050/2017) on February 15, 2017 pursuant to Schedule 5, section 4 of the Government Organization Act.

**1 The *Calgary Restricted Development Area Regulations* (AR 212/76) are amended by this Regulation.**

**2 Schedule A, describing land located in Township 22, Range 1, West of the Fifth Meridian, is amended**

**(a) by striking out**

Sections 19 and 30 - Plan 9112020 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor

- Section 22 - Plan 8910269 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor, and block 1 of plan 731309

**and substituting:**

- Sections 19 and 30 - Plan 9112020 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Plan 1512141 within section 19 showing survey for right-of-way purposes for a Transportation/Utility Corridor and Plans 1512765 and 1611445 within section 30 showing survey for right-of-way purposes for a Transportation/Utility Corridor  
EXCEPTING THEREOUT  
Plans 1512188 and 1512189

- Section 22 - Plan 8910269 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Block 1 of Plan 731309 and Plan 1512764 showing survey for right-of-way purposes for a Transportation/Utility Corridor

**(b) by striking out**

- Section 26 - Plan 8910269 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor

**and substituting:**

- Section 26 - Plan 8910269 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor  
EXCEPTING THEREOUT  
Plan 1510911

**(c) by adding the following after the last description:**

- Section 31 - Plan 1512765 showing survey for right-of-way purposes for a Transportation/Utility Corridor

**3 Schedule A, describing land located in Township 23, Range 2, West of the Fifth Meridian, is amended by striking out**

Sections 1, 12, 13, 24, 25, 26, 35 and 36 - Plan 151 0028, Plan and Field Notes of Survey of Road

**and substituting:**

Sections 1, 12, 13, 24, 25, 26, 35 and 36 - Plan 151 0028, Plan and Field Notes of Survey of Road, Plan 1512999 within section 25 showing survey for right-of-way purposes for a Transportation/Utility Corridor and Plan 1610067 within section 36 showing survey for right-of-way purposes for a Transportation/Utility Corridor

**4 Schedule A, describing land located in Township 23, Range 29, West of the Fourth Meridian, is amended**

**(a) by striking out**

Section 13 - Plans 8910831, 8910497 and 0212675 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor EXCEPTING THEREOUT Blocks A, and Part of C, Plan 9010828 within the south half of section 13; areas D and E, Plan 0212675

Section 24 - Plan 8910831 showing survey for descriptive purposes of a right of way for a Transportation/Utility Corridor and Areas B, F, N and O on Plan 9412550; Lots 15, 16 and 17 on Plan 4441AH lying south of Plan 8910831, and plan 1011019.

**and substituting:**

Section 13 - Plans 8910831, 8910497 and 0212675 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor EXCEPTING THEREOUT Blocks A, and Part of C, Plan 9010828 within the south half of section 13; areas D and E, Plan 0212675; Plan 1511571

EXCEPTING THEREOUT

All that portion of government road allowance between SW 13 and NW 12 (114 Avenue) within Plan 8910497 lying southwest of southwest boundary of Block C, Plan 9010828



- Section 24 - Plan 8910831 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Areas B, F, N and O on Plan 9412550; Lots 15, 16 and 17 on Plan 4441AH lying south of Plan 8910831, Plan 1011019; Areas P, R and T on Plan 1511643 EXCEPTING THEREOUT Areas Q and S on Plan 1511643

**(b) by striking out**

- Section 36 - Plans 8910661 and 9111958 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor

**and substituting:**

- Section 36 - Plans 8910661 and 9111958 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor EXCEPTING THEREOUT That portion of the northerly 660 feet of Block "A" on Plan 320AH lying within Plan 9111958

**5 Schedule A, describing land located in Township 24, Range 29, West of the Fourth Meridian, is amended**

**(a) by striking out**

- Section 1 - Plans 8910661 and 8911124 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor, and the remainder of the NE quarter west of plan 8911124

**and substituting:**

- Section 1 - Plans 8910661 and 8911124 showing survey for descriptive purposes of a right-of way for a Transportation/Utility Corridor and the remainder of the NE quarter west of Plan 8911124 EXCEPTING THEREOUT Plans 1010897 and 1611505

**(b) by striking out**

- Section 36 - Plan 8910498 showing survey for descriptive purposes of a right-of-way for a

Transportation/Utility Corridor  
EXCEPTING THEREOUT  
Plan 8911403 within the west half of section 36

**and substituting:**

- Section 36 - Plan 8910498 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor EXCEPTING THEREOUT Plan 8911403 within the west half of section 36; Plan 1411635

**6 Schedule A, describing land located in Township 25, Range 29, West of the Fourth Meridian, is amended by striking out**

- Sections 35 and 36 - Plans 9112284 and 0211255 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; and all that area lying south-east of Plan 9112284 within the south-east quarter of section 36; and all that area lying east and south of Plan 0211255 within the north-east quarter of section 36; Plan 0211281 EXCEPTING THEREOUT Areas B, C, E, F, G, M and N on Plan 0211255

**and substituting:**

- Sections 35 and 36 - Plans 9112284 and 0211255 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; and all that area lying south-east of Plan 9112284 within the south-east quarter of section 36; and all that area lying east and south of Plan 0211255 within the north-east quarter of section 36; Plan 0211281; Area B on Plan 0210555, Plan 0113644 and Area B on Plan 1610055 showing surveys for rights-of-way purposes for a Transportation/Utility Corridor EXCEPTING THEREOUT Areas B, C, E, F, G, M and N on Plan 0211255; Plan 9112284 lying south of Area B on Plan 0210555 and lying within Plan 0113644; Plan 1510212; Area A on Plan 1610055

**7 Schedule A is amended by adding the following after the description of land located in Township 23, Range 2, West of the Fifth Meridian:**

TOWNSHIP 23, RANGE 1, WEST OF THE FIFTH MERIDIAN

- Sections 6, 7 and 18 - Plan 1513000 showing survey for right-of-way purposes for a Transportation/Utility Corridor
- Section 31 - Plan 1610067 showing survey for right-of-way purposes for a Transportation/Utility Corridor and Plan 1610614 showing survey for a disposition of reserve

**8 Schedule A is amended by adding the following after the description of land located in Township 24, Range 29, West of the Fourth Meridian:**

TOWNSHIP 24, RANGE 1, WEST OF THE FIFTH MERIDIAN

- Section 6 - Plan 1610067 showing survey for right-of-way purposes for a Transportation/Utility Corridor

**9 Schedule A is amended by adding the following before the first description describing land located in Township 24, Range 2, West of the Fifth Meridian:**

- Sections 1 and 2 - Plan 1610067 and Area B on Plan 1610609 showing survey for right-of-way purposes for a Transportation/Utility Corridor

**10 Schedule A describing land located in Township 24, Range 2, West of the Fifth Meridian, is amended by striking out**

- Sections 21 and 28 - Plan 9110702 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Plan 1110308

**and substituting:**

- Sections 21 and 28 - Plan 9110702 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Plan

1110308  
EXCEPTING THEREOUT  
Plan 0610997

**11 Schedule A, describing land located in Township 25, Range 1, West of the Fifth Meridian, is amended by striking out**

Sections 35 and 36 - Plan 9112279 and Areas B and C on Plan 0312178 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Plan 0012667  
EXCEPTING THEREOUT  
Area D on Plan 0312178

**and substituting:**

Sections 35 and 36 - Plan 9112279 and Areas B and C on Plan 0312178 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Plan 0012667  
EXCEPTING THEREOUT  
Area D on Plan 0312178; Plan 1411689

**12 Schedule A, describing land located in Township 25, Range 2, West of the Fifth Meridian, is amended by striking out**

Sections 4 and 5 - Plans 9010214 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Plan 8311273 within the south west quarter of section 4 and Plan 8011599 within the north half of section 4  
EXCEPTING THEREOUT  
Plan 9410376 within the north west quarter of section 4, Lot 3 on plan 8311349, block 2 on plan 0011353 excepting Area A, plan 0914395 and parcel B on Plan 288LK north and west of Area A Plan 0914395.

**and substituting:**

Sections 4 and 5 - Plan 9010214 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor, Plan 8311273

within the south west quarter of section 4, Plan 8011599 within the north half of section 4 EXCEPTING THEREOUT Plan 9410376 within the north west quarter of section 4, Lot 3 on Plan 8311349, Block 2 on Plan 0011353 excepting Area A, Plan 0914395 and Parcel B on Plan 288LK north and west of Area A Plan 0914395; that portion of Transmission Line 1 & sub-station site on plan 987LK within Plan 9010214

-----  
**Alberta Regulation 22/2017**

**Government Organization Act**

**EDMONTON RESTRICTED DEVELOPMENT AREA  
AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 051/2017) on February 15, 2017 pursuant to Schedule 5, section 4 of the Government Organization Act.

**1 The *Edmonton Restricted Development Area Regulations (AR 287/74)* are amended by this Regulation.**

**2 Item 1 of the Schedule, describing land located in Township 53, Range 25, West of the Fourth Meridian, is amended by striking out**

SECTION 27: Plan 882 1697 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area south and east of Plan 882 1697 within Block 6 of Plan 179 H.W.; All that area within the northeast quarter of section 27, south of Plan 882 1697 and northeast and northwest of Road Plan 822 3194; EXCEPTING THEREOUT Plan 022 4775.

SECTION 34: (1) Plans 882 1697 and 074 0090 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor within the south half of section 34; EXCEPTING THEREOUT Plan 122 4335.

SECTION 35: Plans 882 1697 and 882 2071 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Plans 772 1070 and 772 1071 within the northwest quarter of section 35; EXCEPTING THEREOUT Plans 012 6293, 122 4335, 132 0797 and 132 4993.

EXCEPTING THEREOUT All that portion of the original government road allowance (142 Street), within Plan 882 2071 and lying south of the original government road allowance (167 Avenue).

**and substituting**

SECTION 27: Plan 882 1697 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area south and east of Plan 882 1697 within Block 6 of Plan 179 H.W.; All that area within the northeast quarter of section 27, south of Plan 882 1697 and northeast and northwest of Road Plan 822 3194;

EXCEPTING THEREOUT Plans 022 4775 and 162 1078.

SECTION 34: (1) Plans 882 1697 and 074 0090 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor within the south half of section 34; EXCEPTING THEREOUT Plans 122 4335 and 162 1078.

SECTION 35: Plans 882 1697 and 882 2071 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Plans 772 1070 and 772 1071 within the northwest quarter of section 35; EXCEPTING THEREOUT Plans 012 6293, 122 4335, 132 0797, 132 4993 and 162 1078.

EXCEPTING THEREOUT All that portion of the original government road allowance (142 Street), within Plan 882 2071 and lying south of the original government road allowance (167 Avenue); All that portion of the original government road allowance (156 Street) lying within Plan 162 1078.

**3 Item 2 of the Schedule, describing land located in Township 54, Range 25, West of the Fourth Meridian, is amended by striking out**

SECTION 1: (2) Plans 882 1652 and Areas B2 and B4 of Plan 022 1071 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor within the north half of section 1; EXCEPTING THEREOUT Areas A1, A2 and A3 of Plan 022 1071.

SECTION 12: Area B3 of Plan 022 1071 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor.

**and substituting**

SECTION 1: (2) Plans 882 1652 and Area B2 of Plan 022 1071 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor within the north half of section 1; EXCEPTING THEREOUT Areas A1, A2 and A3 of Plan 022 1071.

-----  
**Alberta Regulation 23/2017**

**Mines and Minerals Act**

**MINES AND MINERALS ADMINISTRATION  
AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 053/2017) on February 15, 2017 pursuant to sections 5 and 36 of the Mines and Minerals Act.

**1 The *Mines and Minerals Administration Regulation* (AR 262/97) is amended by this Regulation.**

**2 The heading preceding section 17 is amended by striking out “Penalties,”.**

**3 Section 22.1 is repealed.**

**4 The following is added after section 23.6:**

### **Penalties**

#### **Penalty and compensation for unauthorized taking and unauthorized injection**

**23.7(1)** Where the Minister gives a direction to pay a penalty under section 55(1)(a) of the Act, the penalty must be in the amount prescribed in item 11 of the Schedule.

(2) Where the Minister gives a direction to pay compensation under section 55(1)(a.1) of the Act, the compensation must be in an amount equal to the value of the mineral, as determined by the Minister, that was won, worked or recovered contrary to section 54(1) of the Act.

#### **Penalty for failing to furnish information**

**23.8(1)** If a person is required to furnish any information to the Minister, as required by the Act or a regulation under the Act, and fails to do so by the date required by the Act or a regulation, the Minister may impose a penalty of not less than \$1000, and not more than \$5000, for each month or part of a month during which the failure to furnish the information continues.

(2) No penalty may be imposed under this section if another regulation provides for a penalty as described in this section.

#### **Penalty following audit**

**23.9(1)** Where, as a result of an audit or examination conducted by or on behalf of the Minister under the Act or a regulation under the Act, the Minister determines that the royalty actually payable by a person in respect of a production month is greater than the aggregate royalty paid in respect of that month, the Minister

- (a) subject to subsection (2), may impose on the person a penalty in an amount equal to 10% of the deficiency, and
- (b) shall, whether a penalty is imposed under clause (a) or not, give a notice to the person describing what in the Minister's opinion was the cause giving rise to the deficiency.

(2) Where the Minister has given a notice to a person under subsection (1)(b) relating to an audit or examination in respect of a month and, as a result of an audit or examination conducted by or on behalf of the Minister under the Act or a regulation under the Act in respect of a subsequent month, the Minister determines that

- (a) the royalty actually payable by the person in respect of a subsequent production month is greater than the aggregate royalty paid in respect of that subsequent month, and
- (b) the cause giving rise to the deficiency was the same as or similar to the cause described in the notice,



the Minister may, subject to subsection (3)(a), impose on the person a penalty in an amount not exceeding 50% of that part of the deficiency in respect of that subsequent month that the Minister considers to be attributable to that cause.

- (3) No penalty may be imposed under this section if
- (a) the amount of the penalty otherwise payable in the absence of this subsection would be less than \$1000, or
  - (b) another regulation provides for a penalty as described in this section.

**Penalty waiver**

**23.91** The Minister may waive, in whole or in part, a penalty imposed under the Act or a regulation under the Act on being satisfied that it is appropriate to do so in the circumstances, unless the Act or a regulation otherwise provides for a waiver.

**5 The following is added after section 26:**

**Disclosure of oil sands Project information**

**26.1(1)** In this section,

- (a) “other costs” means the sum of one or more of the following:
  - (i) prior net cumulative balance of the initial description of the Project, or an expansion of the Project,
  - (ii) the net loss from the previous Period, and
  - (iii) the difference between the royalty compensation paid in respect of royalty calculated under section 29(2)(a) of the *Oil Sands Royalty Regulation, 2009* (AR 223/2008) in respect of a Project for a post-payout Period and the royalty compensation that would otherwise have been paid in respect of royalty calculated under section 29(2)(b) of that Regulation in respect of the Project for the same Period;
- (b) “royalty rate” means royalty compensation payable by the Project for a Period divided by either the net revenue or gross revenue of the Project for that Period.

(2) Terms used in this section that are defined in or determined under the *Oil Sands Royalty Regulation, 2009* (AR 223/2008) apply for the purpose of this section.

(3) The Minister may authorize the release to the public the following information in respect of a Project for any Period or part

of a Period, including any changes to that information made under section 38 of the Act, or otherwise:

- (a) the Project revenue;
- (b) the cost of diluent;
- (c) the gross revenue;
- (d) the volume of cleaned crude bitumen delivered at the Project's royalty calculation points;
- (e) the gross revenue per unit volume of cleaned crude bitumen delivered at the Project's royalty calculation point(s);
- (f) the operating costs;
- (g) the capital costs;
- (h) the return allowance;
- (i) the other costs;
- (j) other net proceeds to the extent such other net proceeds do not exceed the allowed costs of the Project for the Period;
- (k) the net revenue;
- (l) the royalty rate;
- (m) the royalty compensation payable;
- (n) the payout status of the Project at the end of each Period;
- (o) the excess of the cumulative cost over cumulative revenue at the end of a pre-payout Period;
- (p) the net loss at the end of a post-payout Period.

**Disclosure of emerging resources  
project information**

**26.2(1)** In this section,

- (a) "royalty" means royalty as defined in the *Petroleum Royalty Regulation, 2017*;
- (b) "royalty compensation" means royalty compensation as defined in the *Natural Gas Royalty Regulation, 2017*.

(2) Subject to subsection (1), terms used in subsection (3) that are defined in or determined under the *Emerging Resources Royalty Regulation* apply for the purpose of subsection (3).

(3) The Minister may authorize the release to the public the following information in respect of an approved project for all or a portion of a calendar year, including any changes to that information made under section 38 of the Act, or otherwise:

- (a) the  $C^*_{ERP}$  pool, the maximum number of eligible wells, the project area, the project benefit period commencement date, the project representative, the total potential wells within the project area and the total potential wells within the project evaluation area of the approved project;
- (b) the  $C^*_{ERP}$ , the  $C^*$  and the  $C^*$  multiplier for each eligible well in the approved project;
- (c) the total number of wells and the total number of eligible wells in the approved project that produced hydrocarbons from the target formation;
- (d) the total volume of hydrocarbons produced from the target formation by wells in the approved project;
- (e) the total cumulative revenue received or receivable from the sale of hydrocarbons produced from the target formation by wells in the approved project;
- (f) the total royalty or royalty compensation, as the case may be, paid or payable in respect of hydrocarbons produced from the target formation by wells in the approved project.

**Disclosure of enhanced hydrocarbon recovery scheme information**

**26.3(1)** In this section,

- (a) “royalty” means royalty as defined in the *Petroleum Royalty Regulation, 2017*;
- (b) “royalty compensation” means royalty compensation as defined in the *Natural Gas Royalty Regulation, 2017*;
- (c) “total revenue” means total revenue as determined in the *Petroleum Royalty Regulation, 2017* or the *Natural Gas Royalty Regulation, 2017*, as the case may be.

(2) Subject to subsection (1), terms used in subsection (3) that are defined in or determined under the *Enhanced Hydrocarbon Recovery Royalty Regulation* apply for the purpose of subsection (3).

(3) The Minister may authorize the release to the public the following information in respect of an approved scheme for all or a portion of a calendar year, including any changes to that information made under section 38 of the Act, or otherwise:

- (a) the operator of the approved scheme;
- (b) the total number of wells or well events in the approved scheme that produced hydrocarbons;
- (c) the pool associated with the approved scheme;
- (d) the total volume of hydrocarbons produced from well events in the approved scheme;
- (e) the total revenue received or receivable for the sale of hydrocarbons produced from well events in the approved scheme;
- (f) the total royalty or royalty compensation paid or payable in respect of hydrocarbons produced from the approved scheme;
- (g) the length and start date of the term of the approved scheme as determined under the *Enhanced Hydrocarbon Recovery Royalty Regulation*;
- (h) the expiry date of the approved scheme.

**6 Section 38 is repealed.**

-----  
**Alberta Regulation 24/2017**

**Mines and Minerals Act**

**MINES AND MINERALS DISPUTE RESOLUTION  
AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 054/2017) on February 15, 2017 pursuant to sections 5 and 36 of the Mines and Minerals Act.

**1 The *Mines and Minerals Dispute Resolution Regulation* (AR 170/2015) is amended by this Regulation.**

**2 Section 5(1) is amended by striking out** “other than an Oil Sands Regulation”.

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

**6(1)** Subject to section 12(4), sections 6 to 11 apply to an objection made in respect of an Oil Sands Regulation.

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

**Transitional**

**12(1)** In this section, “prior Act” means the *Mines and Minerals Act* as it read before the coming into force of section 6(3) and (4) of the *Statutes Amendment Act, 2014*.

**(2)** Section 39 referred to in section 6(4) of the *Statutes Amendment Act, 2014* applies to an objection made under this Regulation despite the year to which the objection relates.

**(3)** A reference in this Regulation to

- (a) an objection includes an objection made under
  - (i) section 39 of the prior Act, and
  - (ii) the *Oil Sands Dispute Resolution Regulation* (AR 247/2007),
- (b) a prescribed matter includes an amount, item or matter referred to in section 38(2) of the prior Act, and
- (c) a notice under section 38(7) of the Act includes a notice from the Minister in respect of a calculation, recalculation or additional calculation made by the Minister under section 38 of the prior Act.

**(4)** If an objection has been made in respect of an Oil Sands Regulation for which a proposed resolution has not been issued under section 6(2) before this subsection came into force,

- (a) subject to clause (b), section 5 applies instead of sections 6 to 11 to a matter in dispute for which a committee has not been previously requested or established under section 7, and

- (b) sections 6 to 11 apply to a matter in dispute that, in the opinion of the Minister, is substantially the same as one for which a committee has been requested or established under section 7.

**5 Section 15 is repealed.**

**6 Section 12(1) to (3) referred to in section 4 of this Regulation are effective on and from November 30, 2015.**

-----  
**Alberta Regulation 25/2017**

**Mines and Minerals Act**

**NATURAL GAS ROYALTY REGULATION, 2017  
 AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 055/2017) on February 15, 2017 pursuant to sections 5 and 36 of the Mines and Minerals Act.

**1 The *Natural Gas Royalty Regulation, 2017 (AR 211/2016)* is amended by this Regulation.**

**2 Schedule 2 is amended by repealing section 4(1) and substituting the following:**

**Calculation of rate for gas equivalent volume**

**4(1)** The  $r_q\%$  for the purpose of section 2 of this Schedule is calculated in accordance with the following Table:

**Rate for Gas Equivalent Volume Table**

gas equivalent volume ( $e^3m^3$ equivalent/month)	$r_q\%$
gas equivalent volume greater than or equal to 345.5	0%
gas equivalent volume less than 345.5	$r_q\% = [(gas\ equivalent\ volume - 345.5) \times 0.0004937] \times 100$

Gas equivalent volume is the total of all gas volumes, field condensate volumes using a conversion factor of 1.7811 and crude oil volumes using a conversion factor of 1.7811.

**3 Schedule 3 is amended by repealing section 4(1) and substituting the following:**

**Calculation of rate for oil equivalent volume**

**4(1)** The  $r_q\%$  for the purpose of section 2 of this Schedule is calculated in accordance with the following Table:

**Rate for Oil Equivalent Volume Table**

<b>Oil Equivalent Volume</b>	<b>Formula</b>
oil equivalent volume greater than zero and less than 194.0 cubic metres	$r_q\% = [(oil\ equivalent\ volume - 194.0) \times 0.001350] \times 100$
oil equivalent volume greater than or equal to 194.0 cubic metres	$r_q\% = 0\%$

Oil equivalent volume is the total of all crude oil volumes, field condensate volumes and gas volumes using a conversion factor of 1.7811.

**4 Schedule 4 is amended by repealing section 4(1) and substituting the following:**

**Calculation of rate for oil equivalent volume**

**4(1)** The  $r_q\%$  for the purpose of section 2 of this Schedule is calculated in accordance with the following Table:

**Rate for Oil Equivalent Volume Table**

<b>Oil Equivalent Volume</b>	<b>Formula</b>
oil equivalent volume greater than zero and less than 194.0 cubic metres	$r_q\% = [(oil\ equivalent\ volume - 194.0) \times 0.001350] \times 100$
oil equivalent volume greater than or equal to 194.0 cubic metres	$r_q\% = 0\%$

Oil equivalent volume is the total of all crude oil volumes, field condensate volumes and gas volumes using a conversion factor of 1.7811.

**5 Schedule 5 is amended by repealing section 3 and substituting the following:**

**Calculation of rate for price**

**3** In the case of a production month commencing with and subsequent to the January 2017 production month, the  $r_p\%$  for the

purpose of section 4 of this Schedule is calculated in accordance with the following Table:

**Rate for Price Table**

<b>Par Price</b>	<b>Formula</b>
par price less than or equal to \$251.70 per cubic metre	$r_p\% = 10\%$
par price greater than \$251.70 per cubic metre and less than or equal to \$409.02 per cubic metre	$r_p\% = [(par\ price - 251.70) \times 0.00071 + 0.10000] \times 100$
par price greater than \$409.02 per cubic metre and less than or equal to \$723.64 per cubic metre	$r_p\% = [(par\ price - 409.02) \times 0.00039 + 0.21170] \times 100$
par price greater than \$723.64 per cubic metre	$r_p\% = [(par\ price - 723.64) \times 0.00020 + 0.33440] \times 100$
Maximum	40%

where the Spec par price is applicable to Spec and ISC pentanes plus and the Mix par price is applied to Mix pentanes plus.

**6 Schedule 5 is amended by repealing section 4(1) and substituting the following:**

**Calculation of rate for oil equivalent volume**

**4(1)** The  $r_q\%$  for the purpose of section 2 of this Schedule is calculated in accordance with the following Table:

**Rate for Oil Equivalent Volume Table**

<b>Oil Equivalent Volume</b>	<b>Formula</b>
oil equivalent volume greater than zero and less than 194.0 cubic metres	$r_q\% = [(oil\ equivalent\ volume - 194.0) \times 0.001350] \times 100$
oil equivalent volume greater than or equal to 194.0 cubic metres	$r_q\% = 0\%$

Oil equivalent volume is the total of all crude oil volumes, field condensate volumes and gas volumes using a conversion factor of 1.7811.



**Alberta Regulation 26/2017**

**Mines and Minerals Act**

**OIL SANDS ROYALTY REGULATION, 2009  
AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 056/2017) on February 15, 2017 pursuant to sections 5 and 36 of the Mines and Minerals Act.

**1 The *Oil Sands Royalty Regulation, 2009* (AR 223/2008) is amended by this Regulation.**

**2 Section 1 is amended**

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

**(i) in clause (h) by adding “, and includes cleaned crude bitumen” after “a well”;**

**(ii) by adding the following after clause (h):**

(h.1) “cumulative cost” means, in relation to a Project, the cumulative cost of the Project determined under section 11(5.3) or 25(2);

(h.2) “cumulative revenue” means, in relation to a Project, the cumulative revenue of the Project determined under section 11(5.3) or 25(3);

**(iii) in clauses (o.2) and (o.3) by striking out “section 14(1)(c.1)” and substituting “section 14(1)(c.2)”;**

**(iv) in clause (p)(ii) and (iii) by striking out “is recovered” and substituting “is or may be recovered”;**

**(v) by adding the following after clause (s):**

(s.1) “non-Project well” means a well that contains one or more non-Project well events;

**(vi) by repealing clause (t) and substituting the following:**

(t) “non-Project well event” means a well event that is not part of a Project and from which an oil sands product is or may be recovered;

- (vii) **in clause (gg) by striking out** “approved under the *Oil Sands Conservation Act*” **and substituting** “either approved under the *Oil Sands Conservation Act* or designated by the Minister, by order or an instrument in writing that the Minister considers appropriate, as a processing plant for the purposes of this Regulation”;
- (viii) **in clause (kk)**
  - (A) **in subclause (i)**
    - (I) **by adding** “single” **before** “Project other”;
    - (II) **by adding** “single” **before** “Prior Project”;
    - (III) **by adding** “single” **before** “Project, as”;
  - (B) **in subclause (ii) by adding** “single” **before** “Prior Project” **wherever it occurs**;
- (ix) **by adding the following after clause (ss):**
  - (ss.1) “third party disposition” means the first disposition of an oil sands product obtained pursuant to a Project and delivered at a royalty calculation point for the product, made
    - (i) in an arm’s length transaction, whether or not the transaction is preceded by one or more non-arm’s length transactions in which the oil sands product is disposed of, and
    - (ii) before the oil sands product is processed in order to produce other oil sands products or is otherwise consumed or used;
- (x) **in clause (uu)(iii) and (iv) by striking out** “crude bitumen” **and substituting** “an oil sands product”;
- (b) **in subsection (2)(c) by striking out** “crude bitumen” **and substituting** “the aggregate of oil sands products”;
- (c) **by repealing subsection (3) and substituting the following:**
  - (3) In using the definition of “cleaned crude bitumen” for the purposes of this Regulation, crude bitumen described in subsection (2)(b) and oil sands products described in subsection (2)(c) are deemed to have had impurities removed from them.

**3 In section 8(e) by adding** “or a methodology for determining a transportation allowance” **after** “a transportation allowance”.

**4 Section 10 is amended**

**(a) by adding the following before subsection (1):**

**Applications**

**10(0.1)** In this section, “Class 3 Estimate” means a Class 3 Estimate as set out in the current version of AACE International Recommended Practice No. 17R-97 Cost Estimate Classification System, as amended or superseded from time to time, in conjunction with the current version of AACE International Recommended Practice No. 18R-97 Cost Estimate Classification System — As Applied in Engineering, Procurement, and Construction for the Process Industries, as amended or superseded from time to time.

**(b) in subsection (1) by striking out** “The lessees” **and substituting** “Subject to subsection (4.3) and (4.4), the lessees”;

**(c) in subsection (2) by adding the following after clause (d):**

(d.1) subject to subsections (4.1) and (4.2), if

- (i) the application includes one or more new, or modifications to one or more existing, processing plants as defined in the *Oil Sands Conservation Act*, and
- (ii) the total estimated capital cost of the new processing plants or modifications, or both, is \$50 000 000 or more,

a Class 3 Estimate;

**(d) in subsection (3) by striking out** “An application” **and substituting** “Subject to subsections (4.3) and (4.4), an application”;

**(e) in subsection (4) by adding the following after clause (d):**

(d.1) subject to subsections (4.1) and (4.2), if

- (i) the proposed amendment includes one or more new, or modifications to one or more existing,

processing plants as defined in the *Oil Sands Conservation Act*, and

- (ii) the total estimated capital cost of the new processing plants or modifications, or both, is \$50 000 000 or more,

a Class 3 Estimate;

**(f) by adding the following after subsection (4):**

**(4.1)** If, in the opinion of the Minister, a Class 3 Estimate is no longer appropriate for the purposes of this Regulation, the Minister may, by order, specify the form of estimate that is required to be included instead of a Class 3 Estimate.

**(4.2)** If, in the opinion of the Minister,

- (a) the estimate included in an application does not meet the definition of a Class 3 Estimate because the estimate follows an earlier version instead of the current version of
  - (i) AACE International Recommended Practice No. 17R-97 Cost Estimate Classification System, as amended or superseded from time to time, or
  - (ii) AACE International Recommended Practice No. 18R-97 Cost Estimate Classification System — As Applied in Engineering, Procurement, and Construction for the Process Industries, as amended or superseded from time to time,

and

- (b) the estimate does not vary in a material way from what would have been provided had a Class 3 Estimate been included,

the Minister may accept the estimate.

**(4.3)** Subject to subsection (4.5), a non-Project well is not eligible to form part of the description of a Project if

- (a) the Crown's royalty share on production from that non-Project well has ever been determined under the *Petroleum Royalty Regulation, 2017* (AR 212/2016) or the *Natural Gas Royalty Regulation, 2017* (AR 211/2016) and the royalty share was determined using the rate under the regulation that applies until the

well's total revenue from all hydrocarbon products as determined by the Minister equals C\*, as C\* is determined under the *Petroleum Royalty Regulation, 2017* (AR 212/2016) or the *Natural Gas Royalty Regulation, 2017* (AR 211/2016), as the case may be,

- (b) one or more non-Project well events of the non-Project well is included in a pending application or an approved application under the *Enhanced Hydrocarbon Recovery Royalty Regulation* (AR 210/2016),
- (c) the non-Project well is included in a pending application or an approved application under the *Emerging Resources Royalty Regulation* (AR 209/2016), or
- (d) the non-Project well, or a non-Project well event in respect of that well, is included in a pending application or an approved application under any other program under the *Petroleum Royalty Regulation, 2017* (AR 212/2016) that provides royalty relief or a royalty credit in respect of oil sands products recovered from a well event.

**(4.4)** On and after January 1, 2017, an application may not be made under subsection (1) for an approval of a proposed well-based Project, unless the proposed Project includes at least two wells for the recovery of crude bitumen.

**(4.5)** Subsection (4.3)(a) does not apply

- (a) if, within the 12-month period beginning on the first day of the month in which royalty share for that non-Project well is determined pursuant to the *Petroleum Royalty Regulation, 2017* (AR 212/2016) or the *Natural Gas Royalty Regulation, 2017* (AR 211/2016), the lessees apply to have that non-Project well included in the description of a Project,
- (b) in respect of a non-Project well that has royalty share determined under the *Petroleum Royalty Regulation, 2017* (AR 212/2016) or the *Natural Gas Royalty Regulation, 2017* (AR 211/2016), during the period beginning on the first day of the month in which an application is made under this section and ending on the last day of the month in which the application is approved, if the Minister approves the application, or
- (c) in respect of wells that had been included in the description of a Project that have been removed from the description of a Project pursuant to section 12 or 17.

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

- (e) whether the Project, if it is not an experimental or demonstration project,
  - (i) will predominantly generate net revenue rather than net losses during the period in which the Project is expected to be conducted, and
  - (ii) can be expected to achieve payout, as described in section 25, within a period of time that the Minister considers reasonable;

**6 Section 11.1 is amended**

**(a) in subsection (1.1)(b) by striking out “January 1, 2012” and substituting “January 1, 2013”;**

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

**(3)** The Minister shall notify the operator of the Minister’s intention to issue an order under subsection (1) at least 30 days, or at least the number of days agreed to by the operator of the Project if the operator has agreed to a shorter time period, before issuing the order.

**7 Section 12 is amended**

**(a) in subsection (2) by striking out “or” at the end of clause (c.3) and adding the following after clause (c.3):**

(c.4) the amendment is to remove a well that is no longer located entirely within the development area of the Project, or

**(b) by repealing subsection (4)(d) and substituting the following:**

(d) any amendment determined by the Minister to any prior net cumulative balance;

**(c) by repealing subsection (5) and substituting the following:**

(5) The Minister shall give the operator notice of the Minister's intention to make an amendment pursuant to subsection (1) at least 30 days, or at least the number of days agreed to by the operator of the Project if the operator has agreed to a shorter time period, before making the amendment.

**8 Section 14 is amended by adding the following after subsection (1):**

(1.1) If a well is spud on or after January 1, 2017, and all of the well events in respect of the well are located entirely within the development area of a Project and satisfy the requirements to form part of Project operations, that well is included in the description of that Project.

(1.2) In respect of a well included in the description of a Project, if a new well event in respect of that well is spud on or after January 1, 2017, and all or a portion of the new well event is located outside of the development area of the Project, the Minister may, pursuant to section 12 or 17, remove that well from the description of the Project and, in that case, royalty in respect of that well shall be determined pursuant to section 27(1.1).

**9 Section 15 is amended**

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

**(i) in clause (a) by striking out "3 years" and substituting "5 years";**

**(ii) by repealing clauses (b) and (c);**

**(b) in subsection (3)(a)**

**(i) by striking out ", (b) and (c)";**

**(ii) in subclause (i) by striking out "periods referred to in those clauses" and substituting "period referred to in that clause";**

**(c) in subsection (4)(a) and (b) by striking out "periods referred to in subsection (2)(a), (b) and (c)" and substituting "period referred to in subsection (2)(a)".**

**10 Section 16 is amended**

- (a) **in subsection (3) by striking out** “and subject to an amendment of a prior net cumulative balance pursuant to section 12”;
- (b) **in subsection (4) by adding** “of this Regulation” **after** “section 10(5)” **wherever it occurs**;

**(c) by adding the following after subsection (4):**

**(4.1)** The Minister may, on the Minister’s own initiative, amend a prior net cumulative balance determined under section 15(6) in relation to a Project, Project expansion or Prior Project expansion if

- (a) the Minister is satisfied that
  - (i) fraud, or
  - (ii) misrepresentation attributable to neglect, carelessness or wilful default

occurred in the creation, maintaining or concealment of a record subject to examination pursuant to section 10(5) of this Regulation or section 15(5) of the Prior Regulation, or in the filing or submission of any report or other information in connection with the determination of the prior net cumulative balance, or

- (b) the Minister is of the opinion that full access to any record for examination in accordance with section 10(5) of this Regulation or section 15(5) of the Prior Regulation, or complete co-operation in relation to an examination in accordance with either of those sections, was not provided.

- (d) **in subsection (5) by adding** “under subsection (1) or under subsection (4.1)” **after** “own initiative”;

**(e) by adding the following after subsection (6):**

**(7)** Nothing in this section affects the authority of the Minister to amend a prior net cumulative balance pursuant to section 12.

**11 Section 17(3)(a) is repealed and the following is substituted:**

- (a) give the operator notice of the Minister’s intention to revoke an approval or order or part of an approval or order pursuant to subsection (2)(b) to (g) at least 30 days, or at least the



number of days agreed to by the operator of the Project if the operator has agreed to a shorter time period, before revoking the approval or order or part of the approval or order,

**12 Section 19 is amended**

- (a) in subsection (1) by adding “(2.2),” after “(2.1),”;**
- (b) by repealing subsection (2)(a) and by substituting the following:**

- (a) the fair market value of the consideration, and

- (c) by repealing subsection (2.1) and substituting the following:**

**(2.1)** Despite subsection (2), if the lessee or operator of a Project uses a capital asset or engineering system of the Project to provide a service pursuant to a non-arm's length transaction to a lessee or operator of another Project for Project operations of the other Project, the amount of the consideration received or receivable by the lessee or operator of the Project providing the service is deemed to be the greater of

- (a) the fair market value of the service, if the Minister is satisfied that the fair market value can reasonably be determined,
- (b) the value of the consideration agreed to by the lessee or operator of the Project providing the service and the lessee or operator of the Project receiving the service, and
- (c) an amount equal to the cost of service to the Project receiving the service as calculated under section 12.2(1)(a) of the *Oil Sands Allowed Costs (Ministerial) Regulation* (AR 231/2008) whether or not that amount is determined to be the allowed cost to the Project receiving the service under Part 2 Division 2 of that Regulation.

**(2.2)** Despite subsection (2), if the lessee or operator of a Project uses a capital asset or engineering system of the Project to provide a service pursuant to a non-arm's length transaction other than a transaction described in subsection (2.1), the amount of consideration received or receivable by the lessee or operator of the Project providing the service is deemed to be the greater of

- (a) the fair market value of the service, if the Minister is satisfied that the fair market value can reasonably be determined,
  - (b) the value of the consideration agreed to by the lessee or operator of the Project providing the service and the person receiving the service, and
  - (c) an amount equal to the cost of service for the capital asset or engineering system providing the service as calculated under section 12.2(1)(a) of the *Oil Sands Allowed Costs (Ministerial) Regulation* (AR 231/2008) as though that Regulation applied and the service were provided to a Project.
- (d) in subsection (3) by adding “, (2.2)” after “(2.1)”.**

**13 Section 22(4) is amended**

- (a) by striking out “where bitumen” and substituting “where crude bitumen”;**
- (b) in clause (a) by striking out “such bitumen” and substituting “such crude bitumen”.**

**14 Section 23 is amended**

- (a) by repealing subsection (2)(b)(i) and substituting the following:**
  - (i) under a contract of insurance, as defined in the *Insurance Act*, providing for insurance in relation to the Project, and including property insurance in relation to profits, earnings, pecuniary interests and indirect losses of the lessees or operator of the Project, except where the premiums for the insurance have been excluded under Column 2 of Schedule 1.1 of the *Oil Sands Allowed Costs (Ministerial) Regulation* (AR 231/2008);
- (b) by repealing subsection (4).**

**15 Section 27 is amended**

- (a) by repealing subsection (1) and substituting the following:**

**Non-Project well events**

**27(1)** Subject to subsection (1.3), the royalty reserved to the Crown on an oil sands product recovered from a non-Project well event pursuant to an agreement granting oil sands rights and delivered in a month from the well containing the well event is the royalty that would be reserved to the Crown under the Petroleum Royalty Regulation, 2009 (AR 222/2008) or the Petroleum Royalty Regulation, 2017 (AR 212/2016), as the case may be, as if the oil sands product were crude oil.

**(1.1)** In respect of a well that is removed from the description of a Project or Prior Project pursuant to section 12 or 17

- (a) if its first well event was spud prior to January 1, 2017, the royalty reserved to the Crown on oil sands products recovered from the well shall be calculated
  - (i) pursuant to the Petroleum Royalty Regulation, 2009 (AR 222/2008) on and after the day it is removed from the description of a Project or Prior Project until December 31, 2026, and
  - (ii) pursuant to the *Petroleum Royalty Regulation, 2017* (AR 212/2016) after December 31, 2026, as though the well's total revenue from all hydrocarbon products, as determined by the Minister, were equal to C\*, as C\* is determined under the *Petroleum Royalty Regulation, 2017* (AR 212/2016),

and

- (b) if its first well event was spud on or after January 1, 2017, the royalty reserved to the Crown on oil sands products recovered from the well on and after the date the well no longer forms part of the description of the Project shall be calculated pursuant to the *Petroleum Royalty Regulation, 2017* (AR 212/2016) as though the well's total revenue from all hydrocarbon products, as determined by the Minister, were equal to C\*, as C\* is determined under the *Petroleum Royalty Regulation, 2017* (AR 212/2016).

**(1.2)** A well referred to in subsection (1.1)

- (a) is deemed for the purposes of section 10(4.3) never to have received a C\* before it was removed from the description of a Project or Prior Project, and

- (b) is not eligible to receive a C\* after it is removed from the description of a Project or Prior Project.

**(1.3)** If a well included in an application referred to in section 10(4.3) is approved by the Minister as forming part of the description of a Project,

- (a) the royalty to the Crown on oil sands products recovered from that well shall be recalculated by the Minister commencing the first day of the month in which the royalty share for that well is determined pursuant to the *Petroleum Royalty Regulation, 2017* (AR 212/2016) until the effective date of the Project, as though the well's total revenue from all hydrocarbon products, as determined by the Minister, were equal to C\*, as C\* is determined under the *Petroleum Royalty Regulation, 2017* (AR 212/2016), and
- (b) the well is deemed never to have received a C\* prior to being approved by the Minister as forming part of the description of the Project.

**(b) in subsection (2) by striking out “subsection (1)” and substituting “subsection (1), (1.1) or (1.3)”;**

**(c) by adding the following after subsection (5):**

**(6)** The Minister may require the licensee, as defined in the *Petroleum Royalty Regulation, 2017* (AR 212/2016), or the operator of a non-Project well to provide to the Minister all or a portion of the information required to be provided to the Minister under the *Petroleum Royalty Regulation, 2017* (AR 212/2016) as if that Regulation applied, and all or a portion of the information required to be provided to the Minister under the *Enhanced Hydrocarbon Recovery Royalty Regulation* (AR 210/2016) or under the *Emerging Resources Royalty Regulation* (AR 209/2016) to the extent those regulations apply, to the non-Project well, and if the licensee or the operator does not provide the information to the Minister, or fails to provide the information in the time specified in the applicable regulation, the Minister may impose a penalty in accordance with section 44(2.1).

**16 Section 28(1) is amended by striking out “subsections (2), (3) and (4)” and substituting “subsections (2), (3), (4) and (6)”.**

**17 Section 29 is amended**

**(a) in subsection (4)**

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

- (a) the WTI price for a trading day is the settlement price for the day of the prompt month contract of West Texas Intermediate crude futures as traded on NYMEX,

**(ii) in clause (b) by striking out “in NYMEX” and substituting “on NYMEX”;**

**(b) by adding the following after subsection (6):**

- (7) If the Bank of Canada no longer publishes a USD/CAD (noon) exchange rate, the Minister may, by order, specify an exchange rate published by the Bank of Canada to be used for the purposes of subsections (3) and (4) instead of the daily actual USD/CAD (noon) exchange rate.

**18 Section 30 is amended**

- (a) in subsection (2.1) by striking out “quantity of the crude bitumen” and substituting “quantity of the cleaned crude bitumen”;**
- (b) in subsection (3) by adding “that contains crude bitumen” after “for blended bitumen”.**

**19 Section 32 is amended**

- (a) by repealing subsection (1)(e);**
- (b) by repealing subsection (8)(a)(i) and (ii) and substituting the following:**
- (i) the prescribed transportation allowance, if a transportation allowance for the Project for the month for that kind of oil sands product is prescribed pursuant to section 8(e),
- (ii) the transportation allowance determined in accordance with the methodology for determining the transportation allowance for the Project for the month for that kind of oil sands product prescribed pursuant to section 8(e), if a methodology for determining the transportation allowance for the Project for the month for that kind of

oil sands product is prescribed pursuant to section 8(e),  
or

- (iii) the transportation allowance determined for the Project for the month for that kind of oil sands product pursuant to the *Bitumen Valuation Methodology (Ministerial) Regulation* (AR 232/2008), if neither a transportation allowance nor a methodology for determining a transportation allowance is prescribed for the Project for the month for that kind of oil sands product pursuant to section 8(e),

and

**20 Section 33(13) is amended by striking out “deficiency” and substituting “difference”.**

**21 The following is added after section 35:**

**Application**

**35.1** For greater certainty, if a person is required to furnish to the Minister a report, statement or auditor’s opinion pursuant to this Part, the person must furnish the report, statement or auditor’s opinion whether or not oil sands or oil sands products

- (a) have been or are being recovered from the Project, non-Project well event or non-Project mining operation to which the report, statement or auditor’s opinion pertains, or
- (b) have been or are being recovered during the period of time to which the report, statement or auditor’s opinion pertains.

**22 Section 37 is amended**

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

- (i) **by striking out** “The operator of a Project shall, unless the Minister otherwise directs in a particular case,” **and substituting** “Subject to subsections (1.1) and (2), the operator of a Project shall”;

- (ii) **in clause (a) by striking out** “9 calendar years” **and substituting** “14 calendar years”;

**(b) by adding the following after subsection (1):**

(1.1) The Minister may, in a particular case, specify a different date by which a report referred to in subsection (1) must be furnished to the Minister.

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

(2) The Minister may, in a particular case, specify a period of fewer than 14 calendar years but not fewer than 4 calendar years in place of the period referred to in subsection (1)(a).

**23 Section 38 is amended**

**(a) by repealing subsection (1) and substituting the following:**

**Monthly report**

**38(1)** Unless the Minister otherwise directs in a particular case, the operator of a Project shall furnish a report to the Minister for each month of a Period.

(1.1) Unless the Minister otherwise directs in a particular case, the operator of a non-Project well event or non-Project mining operation shall furnish a report to the Minister for each month until

- (a) the end of the month preceding the month in which the non-Project well event or non-Project mining operation becomes a Project or part of a Project, or
- (b) the end of the month determined by the Regulator as the month in which the non-Project well event or non-Project mining operation was abandoned.

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

(2) A report under subsection (1) or (1.1) must be furnished

- (a) by the last day of the month following the month for which the report is required, or
- (b) by the date specified by the Minister if the Minister has specified a different date for the furnishing of the report in a particular case.

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

**(3)** Despite subsection (2), a report required to be furnished under subsection (1) must, if the report is in respect of a month that precedes the month during which the Project is first approved under section 11, be furnished

- (a) by the last day of the month following the month during which the Project is first approved under section 11, or
- (b) by the date specified by the Minister if the Minister has specified a different date for the furnishing of the report in a particular case.

**(d) in subsection (4) by adding “or (1.1)” after “subsection (1)”;**

**(e) in subsection (5)**

**(i) by striking out “in respect of a Project”;**

**(ii) by striking out “or by another senior officer of the operator approved in advance by the Minister” and substituting “or by another individual approved in advance by the Minister, either by reference to the individual’s name or title, as an individual who may approve the report”;**

**(f) in subsection (6) by striking out “an officer” and substituting “an individual”;**

**(g) in subsection (7) by striking out “in respect of a Project” and substituting “or (1.1)”.**

**24 Section 38.1 is amended**

**(a) by repealing subsection (1) and substituting the following:**

**Enhancement reporting**

**38.1(1)** The operator of a Project shall furnish any reports specified by the Minister.

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

(a) must be furnished

- (i) by the date specified by the Minister as the due date for that report, or



- (ii) by the date specified by the Minister if the Minister has specified a different date for the furnishing of the report in a particular case,

and

- (b) must be accompanied by a statement indicating approval of the report by the individual specified under subsection (4).

**(c) by repealing subsection (4) and substituting the following:**

(4) The Minister shall, in specifying a report to be furnished under subsection (1) or (1.1), specify the individual, by name or title, who is required to approve the report.

**(d) by adding the following after subsection (4):**

(5) Subject to section 44, an individual who in good faith approves a report furnished under subsection (1) or (1.1) is not liable to the Crown in any civil proceeding arising from the approval of the report.

**25 Section 39 is amended**

**(a) by repealing subsection (1) and substituting the following:**

**Report**

**39(1)** The operator of a Project shall furnish to the Minister within 3 months after the end of each Period, or within a longer time period specified by the Minister in a particular case, a report in respect of the Period.

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

(2) A report under subsection (1) must be signed by the operator of the Project or by the operator's representative.

(2.1) If the aggregate quantity of crude bitumen and cleaned crude bitumen recovered or obtained pursuant to the Project and delivered at a royalty calculation point during the Period, whether as part of blended bitumen or otherwise, is greater than the product of the number of days in the Period multiplied by 1590 cubic metres per day, the report under subsection (1) must

- (a) unless the Minister otherwise directs, be accompanied by an opinion by the auditors retained by the operator, and
- (b) if directed by the Minister, be accompanied by an opinion by the auditors retained by each lessee of the Project to report to the shareholders of the lessee,

as to whether the operator, in the case of the opinion referred to in clause (a), and the lessee, in the case of the opinion referred to in clause (b), have complied with the requirements of this Regulation, the *Bitumen Valuation Methodology (Ministerial) Regulation* (AR 232/2008) and the *Oil Sands Allowed Costs (Ministerial) Regulation* (AR 231/2008).

- (c) **in subsection (3) by striking out** “or by another senior officer of the operator approved in advance by the Minister” **and substituting** “or by another individual approved in advance by the Minister, either by reference to the individual’s name or title, as an individual who may approve the report”;
- (d) **in subsection (4) by striking out** “an officer” **and substituting** “an individual”.

**26 Section 41 is amended**

- (a) **in subsection (3.1) by striking out** “or by another senior officer of the operator approved in advance by the Minister” **and substituting** “or by another individual approved in advance by the Minister under section 38(5), 38.1(4) or 39(3) respectively”;
- (b) **in subsection (4)**
  - (i) **by striking out** “A replacement report” **and substituting** “Subject to subsection (5), a replacement report”;
  - (ii) **by adding the following after subsection (4):**
    - (5) The Minister may, in a particular case, specify a different time period within which a report referred to in subsection (4) is required to be furnished to the Minister.

**27 The following is added after section 41:**

**Notice of suspension**

**41.1** Before suspending all or any part of Project operations, the operator of a Project shall notify the Minister of the suspension and the notice must include the following information:

- (a) a description of the Project operations to be suspended;
- (b) a description of the Project operations that are not being suspended, if any;
- (c) the reason for the suspension;
- (d) the start date of the suspension and the expected duration of the suspension;
- (e) a description of activities that will be conducted in respect of the suspended Project operations;
- (f) a list of capital assets and engineering systems included in the suspended Project operations;
- (g) any other information the operator considers relevant.

**28 Section 43(2) is amended**

- (a) **by striking out** “the other subsections of this section” **and substituting** “this section”;
- (b) **in clause (a) by striking out** “, as defined in section 32,”.

**29 Section 44 is amended**

- (a) **in subsection (1) by striking out** “other than a report referred to in section 40(1)” **and substituting** “other than a report or statement referred to in section 38.1(1), (1.1) or (3)(b) or 40(1)”;
- (b) **in subsection (2)**
  - (i) **by repealing clause (b);**
  - (ii) **in clause (d) by striking out** “section 39(2)(b)” **and substituting** “section 39(2.1)”;
- (c) **by adding the following after subsection (2):**

**(2.1)** If a person is required to furnish information to the Minister under section 27(6) and fails to do so by the time specified under the *Petroleum Royalty Regulation, 2017*

(AR 212/2016), the *Enhanced Hydrocarbon Recovery Royalty Regulation* (AR 210/2016), or the *Emerging Resources Royalty Regulation* (AR 209/2016), the Minister may by notice impose on the person a penalty of not less than \$1000 and not more than \$5000 for each month or part of a month during which the failure continues.

**(2.2)** If a person is required to furnish to the Minister a report pursuant to section 38.1(1) or (1.1) or a statement pursuant to section 38.1(3)(b) and fails to do so by the date specified under section 38.1(3), the Minister may impose on the person a penalty of not more than \$5000 for each month or part of a month during which the failure continues.

**(2.3)** Despite subsection (2.2), a penalty shall not be imposed in respect of a month or part of a month for a failure to furnish a statement pursuant to section 38.1(3)(b), if a penalty is imposed in respect of that month or part of a month for a failure to furnish the report under section 38.1(1) or (1.1) that was to be accompanied by the statement.

**30 Section 45 is amended**

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

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

(a) an amount required to be paid under section 26(4), 27(1.3), 27(4), 33(1) or (6) or 43(3) or (4.1)(a);

**(ii) by repealing clause (d) and substituting the following:**

(d) an amount referred to in subsection (2) unless interest is payable on that amount under subsection (2).

**(b) in subsection (2)(b) by adding “calculation or” after “identified in a”;**

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

**(3)** No interest is payable under subsection (2) if the amount referred to in subsection (2)(a) or (b) is not more than 10% of the aggregate of the royalty compensation payable to the Crown under section 33(2) for the Period in relation to which the amount arises.

**(3.1)** If the Minister is of the opinion that a calculation made under section 6(3) or an estimate made under section 38(7) is incorrect as a result of an error made by the Minister, and the Minister corrects the calculation or estimate through a subsequent calculation under section 6(3), a subsequent estimate under section 38(7) or a calculation or recalculation under the Act, the Minister may refund any portion of the interest so determined and paid under this Regulation in respect of the incorrect calculation made under section 6(3) or the incorrect estimate made under section 38(7) as the Minister considers appropriate to remedy the error taking into consideration

- (a) the amount payable pursuant to the subsequent calculation or recalculation, and
- (b) the interest payable in connection with the subsequent calculation or recalculation.

**(d) in subsection (6)**

**(i) in clause (b)**

**(A) in subclause (i) by striking out “deficiency” and substituting “difference”;**

**(B) in subclause (ii)**

**(I) in paragraph (A) by striking out “clause (a), and” and substituting “clause (a) or (b.1), and”;**

**(II) in paragraph (B) by adding “calculation or” before “recalculation”;**

**(C) by striking out “deficiency is payable” and substituting “difference is payable under section 33(13)”;**

**(ii) by adding the following after clause (b):**

- (b.1) the amount of any overpayment of a disputed amount, within the meaning of subsection (6.01), computed for the period commencing on the day following the last day of the month in which the operator paid the amount,
- (iii) in clause (d) by striking out “first day of the month” and substituting “first day of the 2nd month”;**

(iv) **by striking out** “required to be paid by the operator under this Regulation” **and substituting** “that is payable or that will become payable by the operator to the Crown under the Act or the regulations under the Act”;

(e) **by adding the following after subsection (6):**

(6.01) For the purposes of subsection (6)(b.1), the overpayment of a disputed amount is the amount, excluding penalties and interest on penalties, that was paid

- (a) as required by section 2(3) of the *Oil Sands Dispute Regulation* (AR 247/2007) in respect of an objection related to a Royalty Regulation, or
- (b) as required by section 2(3) of the *Mines and Minerals Dispute Resolution Regulation* (AR 170/2015) in respect of an objection related to a prescribed matter referenced in an Oil Sands Regulation

that, in the resolution of or decision made respecting the objection, it is determined was not otherwise payable under the Act or the regulations under the Act.

(f) **by adding the following after subsection (6.1):**

(6.2) If, in the Minister’s opinion the Department made a mathematical, clerical or systems error in a calculation or recalculation under the Act and where the Minister corrects such error through a subsequent calculation or recalculation under the Act, the Minister may reverse any portion of the interest paid under this section as a result of the erroneous calculation or recalculation.

**31 The heading to Part 6 is amended by striking out “; Expiry”.**

**32 Section 55 is repealed.**

**33(1) This Regulation, except sections 4(a), (c) and (e), and (f) to the extent that it enacts section 10(4.1) and (4.2) of the *Oil Sands Royalty Regulation, 2009* (AR 223/2008), and 6(a), 9 and 10, is effective on and from January 1, 2017.**

**(2) Sections 6(a) and 10 are effective on and from January 1, 2011.**

**34 Applications under section 10 of the *Oil Sands Royalty Regulation, 2009 (AR 223/2008)* received by the Minister in whole or in part before the day on which this Regulation is filed under the *Regulations Act* shall be dealt with as if**

- (a) section 4(a), (c) and (e), and (f) to the extent that it enacts section 10(4.1) and (4.2) of the *Oil Sands Royalty Regulation, 2009 (AR 223/2008)*, and
- (b) section 9

of this Regulation had not come into force.

-----  
**Alberta Regulation 27/2017**

**Mines and Minerals Act**

**PETROLEUM ROYALTY REGULATION, 2017  
 AMENDMENT REGULATION**

Filed: February 15, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 057/2017) on February 15, 2017 pursuant to sections 5 and 36 of the Mines and Minerals Act.

**1 The *Petroleum Royalty Regulation, 2017 (AR 212/2016)* is amended by this Regulation.**

**2 The Schedule is amended by repealing sections 5 and 6 and substituting the following:**

**Calculation of rate for price**

**5(1)** In the case of a production month commencing with and subsequent to the January 2017 production month, the  $r_p\%$  for the purpose of section 4 of this Schedule is calculated in accordance with the following Table:

**Rate for Price Table**

<b>Par Price</b>	<b>Formula</b>
par price less than or equal to \$251.70 per cubic metre	$r_p\% = 10\%$
par price greater than \$251.70 per cubic metre and less than or equal to \$409.02 per cubic metre	$r_p\% = [(par\ price - 251.70) \times 0.00071 + 0.10000] \times 100$

par price greater than \$409.02 per cubic metre and less than or equal to \$723.64 per cubic metre	$r_p\% = [(par\ price - 409.02) \times 0.00039 + 0.21170] \times 100$
par price greater than \$723.64 per cubic metre	$r_p\% = [(par\ price - 723.64) \times 0.00020 + 0.33440] \times 100$
Maximum/Default	40%

**Calculation of rate for oil equivalent volume**

**6** The  $r_q\%$  for the purpose of section 4 of this Schedule is calculated in accordance with the following Table:

**Rate for Oil Equivalent Volume Table**

<b>Oil Equivalent Volume</b>	<b>Formula</b>
oil equivalent volume greater than zero and less than 194.0 cubic metres	$r_q\% = [(oil\ equivalent\ volume - 194.0) \times 0.001350] \times 100$
oil equivalent volume greater than or equal to 194.0 cubic metres	$r_q\% = 0\%$

Oil equivalent volume is the total of all crude oil volumes, field condensate volumes and gas volumes using a conversion factor of 1.7811.