

Alberta Regulation 45/2017

Crown's Right of Recovery Act

CROWN'S RIGHT OF RECOVERY (PRESIDENT OF TREASURY BOARD AND MINISTER OF FINANCE) AMENDMENT REGULATION

Filed: March 20, 2017

For information only: Made by the President of Treasury Board, Minister of Finance (M.O. 11/2017) on March 16, 2017 pursuant to section 40(3) of the Crown's Right of Recovery Act.

1 The *Crown's Right of Recovery (President of Treasury Board and Minister of Finance) Regulation (AR 89/2012)* is amended by this Regulation.

2 Section 9 is repealed.

Alberta Regulation 46/2017

Government Organization Act

MUNICIPAL AFFAIRS GRANTS AMENDMENT REGULATION

Filed: March 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 085/2017) on March 21, 2017 pursuant to section 13 of the Government Organization Act.

1 The *Municipal Affairs Grants Regulation (AR 123/2000)* is amended by this Regulation.

2 Section 2 is repealed and the following is substituted:

General authority to make grants

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

Eligibility

2.1 Subject to the Schedules, the following are eligible to apply for or receive a grant under this Regulation:

- (a) a person or organization engaged in research activities related to municipal matters;

- (b) a person or organization that provides a service relating to municipal matters;
- (c) an advisory committee appointed under the *Municipal Government Act* or elected under the *Special Areas Act*;
- (d) a municipal corporation;
- (e) a regional services commission established under the *Municipal Government Act*;
- (f) a person, organization or government body that is involved in providing a program or service or dealing with a matter that is under the administration of the Minister.

Applications for grants

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

Conditions

2.3 The following conditions apply to a grant:

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

3 Section 7 is amended by adding the following after subsection (1):

(1.1) The Minister may vary

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

- 4 Section 11 is repealed.**
- 5 Schedule 1 is repealed.**
- 6 Schedule 2 is amended in section 1(3) by striking out “2017” and substituting “2020”.**
- 7 This Regulation, except for section 4, comes into force on April 1, 2017.**

Alberta Regulation 47/2017

Government Organization Act

BOILERS DELEGATED ADMINISTRATION AMENDMENT REGULATION

Filed: March 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 086/2017) on March 21, 2017 pursuant to Schedule 10, section 2 of the Government Organization Act.

- 1 The *Boilers Delegated Administration Regulation* (AR 32/2002) is amended by this Regulation.**
- 2 Section 2(1)(e) is amended by adding “40,” after “38,”**
- 3 Section 7(3)(c) is amended by striking out “quality control programs” and substituting “quality management systems”.**
- 4 Section 10 is amended by striking out “March 30, 2017” and substituting “March 31, 2022”.**
- 5 This Regulation comes into force on March 31, 2017.**

Alberta Regulation 48/2017

Farm Implement Act

**FARM IMPLEMENT (EXPIRY DATE EXTENSION)
AMENDMENT REGULATION**

Filed: March 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 087/2017) on March 21, 2017 pursuant to section 30 of the Farm Implement Act.

1 The *Farm Implement Regulation* (AR 204/83) is amended by this Regulation.

2 Section 10 is amended by striking out “March 31, 2017” and substituting “March 31, 2020”.

Alberta Regulation 49/2017

**Youth Criminal Justice Act (Canada)
Youth Justice Act (Alberta)**

YOUTH JUSTICE DESIGNATION AMENDMENT REGULATION

Filed: March 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 091/2017) on March 21, 2017 pursuant to sections 18, 19, 53, 85 and 88 of the Youth Criminal Justice Act (Canada) and section 35 of the Youth Justice Act (Alberta).

1 The *Youth Justice Designation Regulation* (AR 322/2009) is amended by this Regulation.

2 Section 2 is amended

(a) in clause (a) by repealing subclauses (vi) and (vii) and substituting the following:

(vi) Director, Community Corrections and Release Programs;

(vii) Manager, Community Corrections and Release Programs;

(b) by repealing clause (b) and substituting the following:

- (b) an employee of the City of Calgary, Calgary Neighbourhoods, who holds a position with a title as follows:
 - (i) Director, Calgary Neighbourhoods;
 - (ii) Manager, Social Development;
 - (iii) Youth Justice Coordinator;
 - (iv) Team Lead, Youth Services;

3 Section 3(c) is repealed and the following is substituted:

- (c) a probation officer in the City of Calgary, Calgary Neighbourhoods, Social Development Division;

4 Section 12 is repealed.

Alberta Regulation 50/2017

Child and Youth Advocate Act

**CHILD AND YOUTH ADVOCATE (EXPIRY DATE EXTENSION)
AMENDMENT REGULATION**

Filed: March 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 100/2017) on March 21, 2017 pursuant to section 21 of the Child and Youth Advocate Act.

1 The *Child and Youth Advocate Regulation* (AR 53/2012) is amended by this Regulation.

2 Section 2 is amended by striking out “March 31, 2017” and substituting “March 31, 2018”.

Alberta Regulation 51/2017

Government Organization Act

INFRASTRUCTURE GRANTS AMENDMENT REGULATION

Filed: March 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 101/2017) on March 21, 2017 pursuant to section 13 of the Government Organization Act.

1 The *Infrastructure Grants Regulation* (AR 56/2003) is amended by this Regulation.

2 Section 11 is repealed.

Alberta Regulation 52/2017

Government Organization Act

TRANSPORTATION GRANTS AMENDMENT REGULATION

Filed: March 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 102/2017) on March 21, 2017 pursuant to section 13 of the Government Organization Act.

1 The *Transportation Grants Regulation* (AR 79/2003) is amended by this Regulation.

2 Section 11 is repealed.

Alberta Regulation 53/2017

Residential Tenancies Act

SUBSIDIZED PUBLIC HOUSING AMENDMENT REGULATION

Filed: March 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 104/2017) on March 21, 2017 pursuant to section 69 of the Residential Tenancies Act.

1 The *Subsidized Public Housing Regulation* (AR 191/2004) is amended by this Regulation.

2 Section 7 is amended by striking out “March 31, 2017” and substituting “March 31, 2020”.

Alberta Regulation 54/2017

Environmental Protection and Enhancement Act

**ENVIRONMENTAL ASSESSMENT (MANDATORY AND EXEMPTED
ACTIVITIES) AMENDMENT REGULATION**

Filed: March 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 105/2017) on March 21, 2017 pursuant to section 59 of the Environmental Protection and Enhancement Act.

1 The *Environmental Assessment (Mandatory and Exempted Activities) Regulation (AR 111/93)* is amended by this Regulation.

2 Schedule 2 is amended by adding the following after item (g):

- (h) the construction, operation or reclamation of a plant, structure or thing for the generating of wind electric power or solar electric power, with a total nominal capacity not exceeding 1 megawatt.

3 This Regulation comes into force on the coming into force of section 21 of the *Renewable Electricity Act*.

Alberta Regulation 55/2017

Public Lands Act

**EXPLORATION DISPUTE RESOLUTION (EXPIRY DATE
EXTENSION) AMENDMENT REGULATION**

Filed: March 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 108/2017) on March 21, 2017 pursuant to section 9 of the Public Lands Act.

1 The *Exploration Dispute Resolution Regulation* (AR 227/2003) is amended by this Regulation.

2 Section 32 is amended by striking out “March 31, 2017” and substituting “March 31, 2022”.

Alberta Regulation 56/2017

Public Lands Act

**PUBLIC LANDS ADMINISTRATION (EXERCISE OF RIGHTS)
AMENDMENT REGULATION**

Filed: March 27, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 106/2017) on March 21, 2017 pursuant to sections 8, 9, 9.1, 71.1, 108 and 119 and jointly with the Minister of Environment and Parks (M.O. 10/2017) on March 23, 2017 pursuant to sections 28(2), 43(2), 62.1(2) and 104(4) of the Public Lands Act.

1 The *Public Lands Administration Regulation* (AR 187/2011) is amended by this Regulation.

2 The following is added after section 42:

Rights under Part II of the Constitution Act, 1982

42.1 An individual may, while exercising a right recognized and affirmed under Part II of the *Constitution Act, 1982* or a right under section 12 of the Transfer Agreement, enter on and occupy vacant public land without an access permit.

3 Section 43 is amended

(a) **by striking out** “, other than an employee, agent or contractor of the Government of Alberta who is carrying out the person’s duties,”;

(b) **by striking out “or” at the end of clause (b) and adding the following after clause (b):**

(b.1) where the person is carrying out duties as an employee, agent or contractor of the Government of Alberta,

(c) **by adding “or” at the end of clause (c) and adding the following after clause (c):**

- (d) where the person is exercising a right recognized and affirmed under Part II of the *Constitution Act, 1982* or a right under section 12 of the Transfer Agreement or is travelling to a location to exercise such a right.

4 Section 185 is amended

- (a) **in subsection (1) by striking out** “subsections (2) and (3)” **and substituting** “subsections (2), (3), (8) and (9)”;

- (b) **by adding the following after subsection (7):**

(8) Subsections (1)(b), (4), (6) and (7) do not apply to an individual who is exercising a right recognized and affirmed under Part II of the *Constitution Act, 1982* or a right under section 12 of the Transfer Agreement or is travelling to a location to exercise such a right.

(9) Subsection (3) does not apply to the operation of an off-highway vehicle or snow vehicle by an individual who is exercising a right recognized and affirmed under Part II of the *Constitution Act, 1982* or a right under section 12 of the Transfer Agreement or is travelling to a location to exercise such a right.

Alberta Regulation 57/2017

Public Lands Act

**PUBLIC LANDS ADMINISTRATION (GENERAL)
AMENDMENT REGULATION**

Filed: March 27, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 107/2017) on March 21, 2017 pursuant to sections 8, 9, 9.1, 71.1, 108 and 119 and jointly with the Minister of Environment and Parks (M.O. 11/2017) on March 27, 2017 pursuant to sections 28(2), 43(2), 62.1(2) and 104(4) of the Public Lands Act.

**1 The *Public Lands Administration Regulation*
(AR 187/2011) is amended by this Regulation.**

2 Section 1(1) is amended

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

(a) “access permit” means an authorization issued under section 37;

(b) by repealing clause (o)(ii), (xiii) and (xiv).

3 Section 9(1)(f) is amended by striking out “limits” and substituting “standards”.

4 Section 14(2) and (3) are amended by striking out “authorization” and substituting “approval”.

5 Sections 16 and 21(1)(e) are amended by striking out “limits” and substituting “standards”.

6 Section 30(a) is repealed.

7 Section 36 is repealed.

8 Section 37 is amended

(a) in subsection (1) by striking out “access permit authorizing” and substituting “authorization for”;

(b) in subsection (2) by striking out “access permit” and substituting “authorization under this section”.

9 The following is added after section 37:

Access permits for commercial purposes

37.1(1) A person must apply for and obtain an access permit before entering on or occupying vacant public land for a commercial purpose.

(2) Subsection (1) does not apply

(a) to a holder of a disposition issued in respect of the vacant public land,

(b) to a holder of an exploration approval under the *Exploration Regulation* (AR 284/2006) or the *Metallic and Industrial Minerals Exploration Regulation* (AR 213/98) issued in respect of the vacant public land,

- (c) to a holder of a timber disposition issued in respect of the vacant public land,
- (d) to a holder of a registered fur management licence issued in respect of the vacant public land, or
- (e) if the proposed entry and occupation is only for a purpose described in an applicable disturbance standard as being capable of being carried out on the vacant public land without an access permit.

(3) Subsection (1) does not apply to the proposed entry or occupation of a trail

- (a) to a holder of a disposition issued in respect of the trail,
- (b) to a holder of an exploration approval issued under the *Exploration Regulation* (AR 284/2006) or the *Metallic and Industrial Minerals Exploration Regulation* (AR 213/98) in respect of the trail,
- (c) to a holder of a timber disposition issued under the *Forests Act* in respect of the trail,
- (d) to a holder of a registered fur management licence issued under the *Wildlife Regulation* (AR 143/97) in respect of the trail, or
- (e) if the proposed entry and occupation is only for a purpose described in an applicable disturbance standard as being capable of being carried out on the trail without an access permit.

10 Section 174 is amended

- (a) in clause (g) by striking out “section 36(1)” and substituting “section 37.1(1)”;**
- (b) in clause (ccc)**
 - (i) by repealing subclauses (i), (iv) and (vii);**
 - (ii) by repealing subclause (viii) and substituting the following:**
 - (viii) section 20(4);
 - (iii) by repealing subclauses (ix) to (xiv);**
 - (iv) by repealing subclauses (xvi) and (xvii);**

(v) by repealing subclause (xxi) and substituting the following:

(xxi) section 47(4);

(vi) by repealing subclauses (xxii) to (xxv);

(c) in clause (ddd)

(i) by repealing subclause (i);

(ii) in subclause (ii) by striking out “59(1), (2)” and substituting “59(2)”.

11 Section 185(7) is amended by striking out “in a”.

12 Section 209(e)(i)(E) is amended by striking out “section 4(6)” and substituting “section 4(5)”.

13 Section 245 is amended by striking out “March 31, 2017” and substituting “March 31, 2027”.

14 Schedule 4 is amended

(a) in Part A

(i) by repealing section 1(1);

(ii) in section 2 by striking out “forest recreation area” and substituting “public land recreation area”;

(b) in Part B in section 6 by striking out “forest recreation area” and substituting “public land recreation area”;

(c) in Part C

(i) by repealing section 9;

(ii) in section 10 by striking out “forest recreation area” and substituting “public land recreation area”;

(d) in Part D

(i) by repealing section 13;

(ii) in section 14 by striking out “forest recreation area” and substituting “public land recreation area”;

- (e) in Part E by repealing sections 16 to 18;**
- (f) in Part F by repealing sections 20(1) and (2) and 21 to 23;**
- (g) in Part G by repealing sections 25 to 28;**
- (h) in Part H by repealing sections 30(1) and (2), 31 and 32;**
- (i) in Part O**
 - (i) by repealing sections 43(1) and (2), 44 and 45;**
 - (ii) in section 46 by striking out the following:**

EXCEPT THEREOUT:

Big Horn Indian Reserve No. 144A.
Eagle Creek Forest Recreation Area.
Cutoff Creek Forest Recreation Area.
Hummingbird Forest Recreation Area.
Crescent Falls Forest Recreation Area.
Crescent Falls Provincial Recreation Area.
Ram Falls Provincial Recreation Area.
Kootenay Plains Ecological Reserve.

and substituting the following:

EXCEPT THEREOUT:

Big Horn Indian Reserve No. 144A.
Eagle Creek Public Land Recreation Area.
Cutoff Creek Public Land Recreation Area.
Hummingbird Public Land Recreation Area.
Crescent Falls Public Land Recreation Area.
Crescent Falls Provincial Recreation Area.
Ram Falls Provincial Recreation Area.
Kootenay Plains Ecological Reserve.

- (j) in Part P**
 - (i) by repealing sections 47(1) and (2) and 48 to 50;**
 - (ii) in section 51**
 - (A) by striking out “declared as Forest Recreation Areas pursuant to section 46 of the *Forests Act*”;**

(B) by striking out “Panther Public Recreation Area” **and substituting** “Panther Public Land Recreation Area”;

(k) in Part Q by repealing section 52;

(l) in Part R in section 55(2) by striking out “officer gives written consent” **and substituting** “access permit authorizes the person”.

15 Schedule 5 is amended by striking out “Jumpingpound Demonstration Public Land Forest Recreation Area” and substituting “Jumpingpound Demonstration Public Land Recreation Area”.

16 Schedule 7 is amended by repealing sections 58 and 59(1) and (6).

Alberta Regulation 58/2017

Public Lands Act

RECREATIONAL ACCESS AMENDMENT REGULATION

Filed: March 27, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 109/2017) on March 21, 2017 pursuant to section 9 and jointly with the Minister of Environment and Parks (M.O. 14/2017) on March 17, 2017 pursuant to section 62.1 of the Public Lands Act.

1 The *Recreational Access Regulation* (AR 228/2003) is amended by this Regulation.

2 Section 6(1) is amended by adding the following after clause (d):

(d.1) the proposed use would involve the discharge of a firearm or use of an explosive at a location that is unreasonably close to a fenced pasture in which livestock of the agricultural disposition holder are present in accordance with the terms and conditions of the agricultural disposition and the Act;

3 Section 25 is amended by striking out “March 31, 2017” and substituting “March 31, 2022”.

Alberta Regulation 59/2017

Service Dogs Act

SERVICE DOGS QUALIFICATIONS REGULATION

Filed: March 30, 2017

For information only: Made by the Minister of Community and Social Services (M.O. 2017-04) on March 28, 2017 pursuant to section 5 of the Service Dogs Act.

Qualifications

1(1) A dog has the qualifications of a service dog for the purposes of the Act if

- (a) the dog has successfully completed a training program delivered by a school or institution that is accredited by, or that has candidacy status with, Assistance Dogs International Inc., or
- (b) the dog has successfully completed
 - (i) a training program delivered by an organization identified on the Qualified List referred to in this section, or
 - (ii) a test administered by an organization identified on the Qualified List referred to in this section.

(2) The Minister shall, by order, establish

- (a) a Qualified List, and
- (b) the Training Standards that must be met for an organization to be eligible for the Qualified List.

(3) An organization may apply to the Minister, at the times and in the form and manner satisfactory to the Minister, to be added to the Qualified List.

(4) An organization referred to in subsection (3) shall include in its application:

- (a) proof of incorporation;
- (b) proof that the organization holds sufficient insurance against foreseeable claims and losses, including third party claims and loss;
- (c) a description of the applicant's method for training service dogs in accordance with the Training Standards;

(d) any additional information required by the Minister.

(5) The Minister shall publish and maintain the Qualified List and the Training Standards referred to in subsection (2) as the Minister considers appropriate.

Repeal

2 The *Service Dogs Qualifications Regulation* (AR 197/2008) is repealed.

Coming into force

3 Section 1(1)(b), (2), (3) and (4) come into force on August 1, 2017.

Alberta Regulation 60/2017

Forest and Prairie Protection Act

FOREST AND PRAIRIE PROTECTION REGULATION

Filed: March 30, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 114/2017) on March 29, 2017 pursuant to section 41 of the Forest and Prairie Protection Act.

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Schedule

Definition

- 1 In this Regulation, “fire permit” means a fire permit issued under section 19 of the Act.

General

Form of fire permit

- 2 A fire permit must be in the form approved by the Minister.

Duties of the holder of a fire permit

- 3 The holder of a fire permit who lights a fire under authority of the permit shall
 - (a) keep the fire under control at all times,
 - (b) unless otherwise authorized by a forest officer or fire guardian, ensure a responsible person is in attendance at the site of the fire to supervise the fire until it has been extinguished,
 - (c) keep the fire permit at the site of the fire,
 - (d) show the fire permit to a forest officer or fire guardian immediately on request, and
 - (e) extinguish the fire when the earliest of the following occurs:
 - (i) the holder of the permit is ordered to extinguish the fire under the Act;
 - (ii) the permit expires;

- (iii) the permit is cancelled or suspended.

Travel in land closed to public entry

4(1) Notwithstanding section 14(3) of the Act, a person who is a bona fide resident of land closed to public entry may travel to and from that person's home by the most direct route without obtaining a permit or the written permission of a forest officer.

(2) A person who has obtained written permission or a permit to enter land closed to public entry in accordance with section 14(3) of the Act shall travel by the most direct route to and from that person's destination and shall show the permit or written permission to a forest officer upon the officer's request.

Exemptions from firefighting or clean-up operations

5 The following persons are exempt from being required to assist in fighting a fire or a clean-up operation under sections 13 and 30(a) of the Act:

- (a) a person for whom assisting in fighting a fire or a clean-up operation will cause hardship in respect of the person's health or livelihood or in respect of any legal obligations the person may have to others;
- (b) a person who suffers from a physical, mental or other infirmity that is incompatible with assisting in fighting a fire or clean-up operations;
- (c) a person whose assistance in fighting a fire or clean-up operations would be contrary to the public interest by reason of that person's performance of essential services of public importance that cannot reasonably be rescheduled or performed by another during that person's absence.

Fire Prevention — General

Fires for cooking or warming purposes

6(1) A person who lights an outdoor fire for cooking or warming purposes shall

- (a) light the fire on flat rock, gravel, sand, bare mineral soil, or another non-combustible surface that extends at least one metre around the fire,
- (b) ensure a responsible person is in attendance at the site of the fire to supervise the fire until it has been extinguished, and

- (c) have at the site a sufficient supply of water to extinguish the fire.

(2) A person who uses an outdoor fire for cooking and warming purposes shall

- (a) keep the fire under control at all times, and
- (b) extinguish the fire before leaving the site of the fire, unless there is another person continuing to use the fire.

Disposal of refuse on public land

7 A person shall not discard refuse that could reasonably be expected to create a fire hazard on public land in an area or facility that is not designated for the disposal of refuse.

Firearms, fireworks and exploding targets

8(1) In this section, “exploding target” includes an incendiary target, binary target and any container holding explosive substances.

(2) No person shall do the following in a forest protection area, unless that person has the written permission of a forest officer:

- (a) discharge a firearm using tracer ammunition;
- (b) discharge a firearm using incendiary ammunition;
- (c) discharge or ignite fireworks;
- (d) shoot, ignite or detonate an exploding target;
- (e) handle or store fireworks or exploding targets in a manner that may cause them to be discharged or ignited.

(3) A person who discharges a firearm, discharges or ignites fireworks or shoots, ignites or detonates an exploding target shall immediately extinguish all burning residue from the firearm, fireworks or exploding target.

Flare devices on public land

9(1) Subject to subsection (2), a person shall not ignite a flare device, or handle or store a flare device in a manner that may cause it to ignite, on public land.

(2) In the event of an emergency, a person may ignite a flare device on public land.

(3) A person who ignites a flare device shall immediately extinguish all burning residue from the flare device.

Engines in forest protection area

10(1) No person shall operate an engine in a forest protection area unless the engine is equipped with one of the following in working order:

- (a) a device for arresting sparks, or
- (b) a muffler.

(2) No person shall allow a running or hot engine to come into contact with combustible material.

Fire Prevention — Industrial Operations

Industrial operations in or near forest protection area

11 An owner or operator of an industrial operation or industrial camp located in or within one kilometre of a forest protection area shall, unless otherwise authorized by a forest officer,

- (a) keep the area in which the industrial operation or industrial camp is located clear of all timber, vegetation and combustible material,
- (b) maintain a cleared distance of not less than 30 metres between the industrial operation or industrial camp and the closest standing timber, and
- (c) maintain a clear, bare mineral soil surface extending at least 8 metres around any burner, pit or other source of fire.

Burning in forest protection area outside the fire season

12(1) An owner or operator of an industrial operation or industrial camp located in a forest protection area at which burning of debris is carried on outside the fire season shall ensure that the operation or camp is patrolled daily for fire in accordance with subsection (2).

(2) The patrol referred to in subsection (1) must commence at least one week before operations cease at the site and end no earlier than the first day of June.

(3) A forest officer may, in writing, vary the frequency and period of the patrol provided for by subsection (2).

Flare pits and flare tanks

13 No person shall burn any material or substance produced from an oil or gas well in a flare pit or flare tank unless

- (a) an area extending at least 30 metres around the flare pit or flare tank is clear of all debris and combustible material, unless otherwise specified by a forest officer,
- (b) there is a clear, bare mineral soil surface extending at least 8 metres around the flare pit or flare tank,
- (c) the flare pit or flare tank is constructed so that burning debris cannot escape from the flare pit or flare tank at any time, and
- (d) the discharge tip of the flare line is directed into the flare pit or flare tank at an angle of not less than 30 degrees below horizontal.

Flaring gas

14 No person shall flare gas at the end of a vertical pipe unless the base of the vertical pipe is located at least 30 metres, or such other distance as may be specified by a forest officer, from any timber, vegetation or combustible material.

Pipelines endangered by fire

15(1) In this section,

- (a) “installation” means an installation as defined in the *Pipeline Act*;
- (b) “licensee” means a licensee as defined in the *Pipeline Act* and includes any agent of the licensee approved under section 19 of the *Pipeline Act*;
- (c) “pipeline” means a pipeline as defined in the *Pipeline Act*, but does not include a pipe used to convey water.

(2) The licensee of a pipeline or an installation that is endangered by a fire shall, as soon as the licensee knows or ought to know of the fire, unless otherwise approved by the Minister,

- (a) immediately shut off every well supplying the pipeline,
- (b) immediately depressurize every pipeline located within one kilometre of the fire, and
- (c) notify the Minister in writing when the licensee has complied with the requirements of clauses (a) and (b).

(3) A licensee who is required to comply with subsection (2) shall not repressurize the pipeline until the licensee is notified in writing by the Minister that the licensee may do so.

Incinerators

16 No person shall operate an incinerator in a forest protection area unless

- (a) the incinerator meets the following specifications:
 - (i) the incinerator must be fully enclosed and constructed entirely of material that is not combustible;
 - (ii) the draft and smoke vents of the incinerator must be covered with a heavy gauge metal screen with mesh openings not greater than 6 square millimetres,

and

- (b) the incinerator is
 - (i) located on an area of bare rock, gravel, sand, bare mineral soil, concrete or other non-combustible surface extending at least 3 metres around the base of the incinerator; and
 - (ii) located at least 30 metres from any timber, vegetation or combustible material.

Administrative Penalties

Notice of administrative penalty

17(1) A notice of administrative penalty referred to in section 37.5 of the Act may be given in respect of the following:

- (a) a failure to comply with a term or condition of a fire permit;
- (b) a failure to comply with an order under section 26(1) or 26.2 of the Act;
- (c) a contravention of a provision of the Act or a regulation made under the Act as set out in the Schedule.

(2) A notice of administrative penalty must be given in writing and must contain the following information:

- (a) the name of the person required to pay the administrative penalty;

- (b) particulars of the contravention;
- (c) the amount of the administrative penalty and the date by which it must be paid.

Penalty assessment

18 Subject to section 37.5(3) of the Act, the director may determine the amount of an administrative penalty by considering the following factors:

- (a) the severity of the contravention;
- (b) any adverse effects caused by the contravention;
- (c) the degree of wilfulness or negligence in the contravention;
- (d) whether there was any mitigation relating to the contravention;
- (e) whether steps have been taken to prevent reoccurrence of the contravention;
- (f) whether the person who receives the notice of administrative penalty has a history of non-compliance;
- (g) whether the person who receives the notice of administrative penalty has derived any economic benefit from the contravention;
- (h) any other factors that, in the opinion of the director, are relevant.

Payment of penalty

19 A person who is served with a notice of administrative penalty shall pay the amount of the penalty within 30 days of the date of service of the notice.

Repeal and Consequential Amendments

Repeal

20 The *Forest and Prairie Protection Regulations, Part I* (AR 135/72) are repealed.

Consequential amendments

21 The *Timber Management Regulation (AR 60/73)* is amended

- (a) **in section 100(1)(g) by striking out** “The *Forest and Prairie Protection Regulations, Part II*” **and substituting** “the *Forest and Prairie Protection (Ministerial) Regulation*”;
- (b) **in section 142.8(c) by striking out** “The *Forest and Prairie Protection Regulations, Part II* (Alta. Reg. 310/72)” **and substituting** “the *Forest and Prairie Protection (Ministerial) Regulation*”;
- (c) **in section 148 by striking out** “lying south of an imaginary line described in Appendix “A” of the *Forest and Prairie Protection Regulations Part II*”.

Schedule

Provisions in Respect of Which an Administrative Penalty is Payable

An administrative penalty is payable in respect of a contravention of any of the following:

Forest and Prairie Protection Act	Forest and Prairie Protection Regulation	Forest and Prairie Protection (Ministerial) Regulation
11(3)(a)	3	2(1)
14(3)(a) and (b)	4(2)	2(2)
15	6(1) and (2)	3
16	7	4
18(1), (2) and (3)	8(2) and (3)	5
20	9(1) and (3)	6(1) and (2)
21(3)	10(1) and (2)	7
22	11	8
23(1)	12	9(2)
24	13	10
25	14	11(1) and (4)
26.1	15(2) and (3)	
31.3(2)	16	
32(2.2)		
35		
36		

Alberta Regulation 61/2017

Judicature Act

**JUSTICES OF THE PEACE 2017 COMPENSATION
COMMISSION REGULATION**

Filed: March 30, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 117/2017) on March 29, 2017 pursuant to section 42 of the Judicature Act.

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21	Commencement

Definitions

1 In this Regulation,

- (a) "Commission" means the 2017 Alberta Justices of the Peace Compensation Commission established by section 2 and "commissioner" means a member of the Commission;
- (b) "compensation" means remuneration and benefits;
- (c) "inquiry" means the inquiry referred to in section 4(1);
- (d) "justices" means persons appointed (including reappointed) as justices of the peace under the *Justice of the Peace Act* and whose appointments are designated as full-time or part-time or are on an ad hoc basis;

- (e) “reasons” means written explanations that meet the justification standard under the Constitution of Canada used to evaluate decisions of a government to depart from a recommendation of an independent body regarding judicial compensation;
- (f) “recommendations” means the recommendations referred to in section 4(2);
- (g) “Society” means The Society of the Justices of the Peace in Alberta;
- (h) “the Minister” means the Minister of Justice and Solicitor General;
- (i) “the report” means the report of the Commission presented or to be presented under section 6 except that, if an amended report is or is to be presented under section 7(2), it means that amended report.

Establishment of 2017 Commission

2 The 2017 Alberta Justices of the Peace Compensation Commission is established.

Composition, etc., of Commission

3(1) The Commission is to consist of

- (a) one commissioner appointed by the Minister,
- (b) one commissioner appointed by the Minister on the nomination of the Society, and
- (c) one commissioner appointed by the Minister on the nomination of the commissioners appointed under clauses (a) and (b).

(2) The commissioner appointed under subsection (1)(c) is to be the chair of the Commission.

(3) If a commissioner dies, resigns or is unable or unwilling to discharge his or her responsibilities, the Minister shall appoint a replacement, which appointment, in the case of subsection (1)(b) or (c), is to be made only after receiving the applicable nomination.

(4) Subject to subsection (5),

- (a) active judges,

- (b) justices,
- (c) members of the Legislative Assembly,
- (d) members of boards, commissions and other bodies appointed by the Lieutenant Governor in Council or by any minister of the Crown,
- (e) other persons who hold office by way of an appointment by the Lieutenant Governor in Council or by a minister, and
- (f) employees within the meaning of the *Public Service Act*

may not be commissioners.

(5) A person referred to in subsection (4)(d), (e) or (f) may be the commissioner referred to in

- (a) subsection (1)(b) or (c), or
- (b) subsection (1)(a) if the Society approves the appointment in writing.

Role of Commission

4(1) The Commission shall conduct an inquiry respecting the appropriate level of compensation for justices with a view to preparing the report.

(2) The Commission shall, in the report, make recommendations respecting the compensation of the justices for the period April 1, 2017 to March 31, 2021, the effective date of the recommendations, unless otherwise stated, being April 1, 2017.

(3) The Commission shall determine issues relating to compensation of justices independently, effectively and objectively.

(4) The Commission shall contribute to maintaining and enhancing the independence of the justices through the inquiry process and the report.

Commission expenses

5(1) The Crown shall pay the Commission all reasonable expenses incurred by the Commission in conducting the inquiry and preparing a report under this Regulation.

(2) A commissioner is entitled to compensation and reimbursement for expenses as determined by the Minister.

Presentation of report to Minister and Society

6 The Commission shall present its report or its initial report, containing its recommendations, to the Minister and the Society on the date determined by the Minister and previously notified to the Commission.

Amendment of report

7(1) The Commission may amend a report presented under section 6 after reviewing any submissions made by the Minister and the Society if

- (a) the Commission is satisfied that that report
 - (i) failed to deal with an issue raised during the inquiry, or
 - (ii) contains an obvious error,

and

- (b) the Minister or the Society requests that the Commission amend that report within 30 days after receiving that report under section 6.

(2) Within 30 days after receiving a request under subsection (1)(b), the Commission shall either present an amended report to the Minister and the Society or inform them that there will be no amended report.

(3) An amended report under subsection (2) may differ from the report presented under section 6 only so far as is necessary to deal with the matters referred to in subsection (1)(a).

(4) Nothing requires the Minister or the Society to make a request under subsection (1)(b).

Lieutenant Governor in Council's decision on the report

8(1) On receiving the report, the Minister shall present it to the Lieutenant Governor in Council in adequate time for subsection (2) to be met.

(2) Within 120 days after the presentation of the report under section 6 or, where that report is amended under section 7, that amended report, the Lieutenant Governor in Council shall make an order containing the decisions on the recommendations made by the Commission and, if any of those recommendations are not accepted, provide reasons for the non-acceptance.

Effect of recommendations on Crown

9(1) Subject to subsection (2), a recommendation made by the Commission is binding on the Crown.

(2) A recommendation made by the Commission is not binding on the Crown if or to the extent that

- (a) it is not accepted, with reasons given, by the Lieutenant Governor in Council, and
- (b) the Minister provides a copy of the order in council containing the non-acceptance and reasons to the Society within 14 days after the making of the order.

Public notice of inquiry

10 The Commission shall give such public notice as it considers necessary of the commencement of its inquiry and of the closing date for written submissions.

Pre-inquiry meeting

11 At the earliest reasonable opportunity before the commencement of the inquiry, the Minister and the Society shall meet with the Commission to address any preliminary matters that may arise and any other matters that the Commission considers advisable.

Inquiry procedure

12(1) Subject to this section, the Commission may determine its own inquiry procedure.

(2) Section 17(2)(a) and (c) of the *Interpretation Act* do not apply.

(3) The full membership of 3 commissioners provided for in section 3(1) constitutes the quorum at a meeting of the Commission.

(4) The Minister and the Society shall make every endeavour to arrive at an agreed statement of facts and an agreed list of exhibits to be filed and, to the extent that they have been able to agree them, shall provide them to the Commission.

(5) The Commission may record any inquiry proceedings and, if it does, shall provide transcripts to those who request them and pay the fee required by the Commission.

(6) The Commission may accept such evidence as is relevant to the determination of the issues and is not required to adhere to the rules of evidence applicable to courts of civil or criminal jurisdiction.

(7) Any member of the public is entitled to attend the inquiry proceedings and, subject to section 10, to make written submissions to the Commission.

(8) The Commission may

- (a) grant leave to any member of the public to make oral submissions, or
- (b) notwithstanding section 10, limit to written submissions any submission from an individual justice,

after hearing submissions made by the Minister and the Society on whether or not to do so.

(9) The Commission may require the attendance of any person who has filed written submissions and may require that person to respond to any questions from either the Minister or the Society, or both, as well as from the Commission, and if the person fails to appear or to respond to any of those questions, the Commission may ignore those written submissions.

(10) The Commission may, on application, direct the Minister or the Society, or both, to produce any documents that are not subject to privilege.

(11) The testimony of witnesses must be under oath or affirmation.

(12) The Commission may not award costs for written submissions but may award the reasonable travel, accommodation and meal expenses of anyone required by the Commission to attend.

(13) Any person requesting copies of any written submissions to the Commission is entitled to receive a copy of the submissions on payment of such reasonable fee as the Commission decides.

(14) The recommendations must be based solely on the evidence submitted to the Commission.

(15) If the Commission makes any recommendation by a simple majority on any matter, the commissioner in the minority may make a minority recommendation on that matter.

Criteria for recommendations

13 The Commission, in making the recommendations, shall consider the following criteria:

- (a) the constitutional law of Canada;

- (b) the need to maintain the independence of the justices;
- (c) the unique nature of the role of justices;
- (d) the need to attract qualified applicants;
- (e) the compensation other justices of the peace in Canada receive;
- (f) increases and decreases, as applicable, in the Alberta real primary household income per capita;
- (g) the need to provide fair and reasonable compensation for justices in light of prevailing economic conditions in Alberta and the overall state of the economy, including the financial position of the Government;
- (h) the Alberta cost of living index and the position of the justices relative to its increases or decreases, or both;
- (i) the nature of the jurisdiction of justices;
- (j) the level of increases or decreases, or both, provided to other programs and persons funded by the Government;
- (k) any other factors considered by the Commission to be relevant to the matters in issue.

Voluntary meetings

14 The Minister and the Society may meet at any time to discuss improvements to the Commission inquiry process.

Provision of order in council and legislation to justices

15(1) The Society shall, forthwith after receiving the copy of the order made under section 8(2) provide a copy of it to the justices.

(2) The Minister shall, as soon as practicable, provide the Society with a copy of any legislation implementing the report and the order referred to in subsection (1) and the Society shall provide the justices with copies of the legislation forthwith after receiving it.

Confidentiality of the report

16 Subject to sections 6, 7(2) and 8(1), every person having access to the report or any proposed recommendations in it shall not disclose it or them to any other person, unless pursuant to an order of a court, until the order in council referred to in section 8(2) has been made.

Society's costs of making submissions

17(1) The Crown shall pay the reasonable costs incurred by the Society in making its submissions to the Commission in an amount not exceeding the amount set by order of the Minister, which order must be made within a reasonable period of time before the date set by the Commission for the commencement of its inquiry hearings.

(2) If the Minister does not agree with the costs incurred by the Society for the purposes of subsection (1), including lawyers' charges and other costs of the proceedings before the Commission, then, on the Minister's application, the reasonableness of those costs may be reviewed by a review officer, in which case Rule 10.46 (including the right of appeal under Rule 10.46(4)) of the *Alberta Rules of Court* (AR 124/2010) applies.

Judicial review

18(1) If

- (a) the Lieutenant Governor in Council decides, with reasons, not to accept any of the recommendations in whole or in part,
- (b) the Society or any justice brings an application for judicial review of that decision, and
- (c) that application is successful,

the Court may not make the report binding on the Crown but may refer the report to the Lieutenant Governor in Council or to the Commission for a reconsideration.

(2) If the Court makes the reference under subsection (1), the Lieutenant Governor in Council or the Commission, as the case may be, has 120 days from the day that the application was granted to reconsider the recommendations in accordance with the directions, if any, of the Court.

Service of notices

19(1) A notice that is required by this Regulation to be given to the Minister must be given

- (a) by leaving a written copy of the notice at the legislative office of the Minister, or
- (b) by service on counsel as provided for in the *Alberta Rules of Court* (AR 124/2010), if the Minister has given notice in writing of the appointment of counsel.

(2) A notice that is required by this Regulation to be given to the Society must be given

- (a) by leaving a written copy of the notice at its registered office, or
- (b) by service on its counsel as provided for in the *Alberta Rules of Court* (AR 124/2010), if the Society has given notice in writing of the appointment of its counsel.

(3) Notwithstanding anything in this section, a document may be served, for the purposes of this Regulation, in accordance with any manner agreed in writing by the Minister and the Society with respect to such a document.

Expiry

20 This Regulation expires on March 31, 2023.

Commencement

21 This Regulation comes into force on April 1, 2017.

Alberta Regulation 62/2017

Judicature Act

**PROVINCIAL JUDGES AND MASTERS IN CHAMBERS 2017
COMPENSATION COMMISSION REGULATION**

Filed: March 30, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 118/2017) on March 29, 2017 pursuant to section 42 of the Judicature Act.

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Definitions

1 In this Regulation,

- (a) "Association" means the Alberta Provincial Judges' Association;
- (b) "Commission" means the 2017 Alberta Judicial Compensation Commission established by section 2 and "commissioner" means a member of the Commission;
- (c) "compensation" means the salary, pension, including the contributions of the Government of Alberta and judges, benefits and allowances provided to the judges;
- (d) "inquiry" means the inquiry referred to in section 4(1);
- (e) "judges" means, except in section 13(e), the judges of the Provincial Court and the masters in chambers holding office under the *Court of Queen's Bench Act*;
- (f) "reasons" means written explanations that meet the justification standard under the Constitution of Canada used to evaluate decisions of a government to depart from a recommendation of an independent body regarding judicial compensation;
- (g) "recommendations" means the recommendations referred to in section 4(2);
- (h) "the Minister" means the Minister of Justice and Solicitor General;
- (i) "the report" means the report of the Commission presented or to be presented under section 6 except that, if an amended report is or is to be presented under section 7(2), it means that amended report.

Establishment of 2017 Commission

2 The 2017 Alberta Judicial Compensation Commission is established.

Composition, etc., of Commission

3(1) The Commission is to consist of

- (a) one commissioner appointed by the Minister,
- (b) one commissioner appointed by the Minister on the nomination of the Association, and
- (c) one commissioner appointed by the Minister on the nomination of the commissioners appointed under clauses (a) and (b).

(2) The commissioner appointed under subsection (1)(c) is to be the chair of the Commission.

(3) If a commissioner dies, resigns or is unable or unwilling to discharge his or her responsibilities, the Minister shall appoint a replacement, which appointment, in the case of subsection (1)(b) or (c), is to be made only after receiving the applicable nomination.

(4) Subject to subsection (5),

- (a) active judges,
- (b) justices of the peace,
- (c) members of the Legislative Assembly,
- (d) members of boards, commissions and other bodies appointed by the Lieutenant Governor in Council or by any minister of the Crown,
- (e) other persons who hold office by way of an appointment by the Lieutenant Governor in Council or by a minister of the Crown, and
- (f) employees within the meaning of the *Public Service Act*

may not be commissioners.

(5) A person referred to in subsection (4)(d), (e) or (f) may be the commissioner referred to in

- (a) subsection (1)(b) or (c), or

- (b) subsection (1)(a) if the Association approves the appointment in writing.

Role of Commission

4(1) The Commission shall conduct an inquiry respecting the appropriate level of compensation with a view to preparing the report, including

- (a) the appropriate level of salary for judges sitting full or part-time or on a supernumerary basis,
- (b) the appropriate design and level of judges' pension benefits of all kinds,
- (c) the appropriate level and kinds of benefits and allowances of judges, and
- (d) any other issues relevant to the financial security of the judges that the Commission agrees to resolve.

(2) The Commission shall, in the report, make recommendations respecting compensation for the period April 1, 2017 to March 31, 2021, the effective date of the recommendations, unless otherwise stated, being April 1, 2017.

(3) The Commission shall determine issues relating to compensation independently, effectively and objectively.

(4) The Commission shall contribute to maintaining and enhancing the independence of the Provincial Court and the judges through the inquiry process and the report.

Commission expenses

5(1) The Crown shall pay the Commission all reasonable expenses incurred by the Commission in conducting the inquiry and preparing a report under this Regulation.

(2) A commissioner is entitled to remuneration and reimbursement for expenses as determined by the Minister.

Presentation of report to Minister and Association

6 The Commission shall present its report or its initial report, containing its recommendations, to the Minister and the Association on the date determined by the Minister and previously notified to the Commission.

Amendment of report

7(1) The Commission may amend a report presented under section 6 after reviewing any submissions made by the Minister and the Association if

- (a) the Commission is satisfied that that report
 - (i) failed to deal with an issue raised during the inquiry, or
 - (ii) contains an obvious error,

and

- (b) the Minister or the Association requests that the Commission amend that report within 30 days after receiving that report under section 6.

(2) Within 30 days after receiving a request under subsection (1)(b), the Commission shall either present an amended report to the Minister and the Association or inform them that there will be no amended report.

(3) An amended report under subsection (2) may differ from the report presented under section 6 only so far as is necessary to deal with the matters referred to in subsection (1)(a).

(4) Nothing requires the Minister or the Association to make a request under subsection (1)(b).

Lieutenant Governor in Council's decision on the report

8(1) On receiving the report, the Minister shall present it to the Lieutenant Governor in Council in adequate time for subsection (2) to be met.

(2) Within 120 days after the presentation of the report under section 6 or, where that report is amended under section 7, that amended report, the Lieutenant Governor in Council shall make an order containing the decisions on the recommendations made by the Commission and, if any of those recommendations are not accepted, providing reasons for the non-acceptance.

Effect of recommendations on Crown

9(1) Subject to subsection (2), a recommendation made by the Commission is binding on the Crown.

(2) A recommendation made by the Commission is not binding on the Crown if or to the extent that

- (a) it is not accepted, with reasons given, by the Lieutenant Governor in Council, and
- (b) the Minister provides a copy of the order in council containing the non-acceptance and reasons to the Association within 14 days after the making of the order.

Public notice of inquiry

10 The Commission shall give such public notice as it considers necessary of the commencement of its inquiry and of the closing date for written submissions.

Pre-inquiry meeting

11 At the earliest reasonable opportunity before the commencement of the inquiry, the Minister and the Association shall meet with the Commission to address any preliminary matters that may arise and any other matters that the Commission considers advisable.

Inquiry procedure

12(1) Subject to this section, the Commission may determine its own inquiry procedure.

(2) Section 17(2)(a) and (c) of the *Interpretation Act* do not apply.

(3) The full membership of 3 commissioners provided for in section 3(1) constitutes the quorum at a meeting of the Commission.

(4) The Minister and the Association shall make every endeavour to arrive at an agreed statement of facts and an agreed list of exhibits to be filed and, to the extent that they have been able to agree them, shall provide them to the Commission.

(5) The Commission may record any inquiry proceedings and, if it does, shall provide transcripts to those who request them and pay the fee required by the Commission.

(6) The Commission may accept such evidence as is relevant to the determination of the issues and is not required to adhere to the rules of evidence applicable to courts of civil or criminal jurisdiction.

(7) Any member of the public is entitled to attend the inquiry proceedings and, subject to section 10, to make written submissions to the Commission.

(8) The Commission may

- (a) grant leave to any member of the public to make oral submissions, or
- (b) notwithstanding section 10, limit to written submissions any submission from an individual judge,

after hearing submissions made by the Minister and the Association on whether or not to do so.

(9) The Commission may require the attendance of any person who has filed written submissions and may require that person to respond to any questions from either the Minister or the Association, or both, as well as from the Commission, and if the person fails to appear or to respond to any of those questions, the Commission may ignore those written submissions.

(10) The Commission may, on application, direct the Minister or the Association, or both, to produce any documents that are not subject to privilege.

(11) The testimony of witnesses must be under oath or affirmation.

(12) The Commission may not award costs for written submissions but may award the reasonable travel, accommodation and meal expenses of anyone required by the Commission to attend.

(13) Any person requesting copies of any written submissions to the Commission is entitled to receive a copy of the submissions on payment of such reasonable fee as the Commission decides.

(14) The recommendations must be based solely on the evidence submitted to the Commission.

(15) If the Commission makes any recommendation by a simple majority on any matter, the commissioner in the minority may make a minority recommendation on that matter.

Criteria for recommendations

13 The Commission, in making the recommendations, shall consider the following criteria:

- (a) the constitutional law of Canada;
- (b) the need to maintain the independence of the judges and the Provincial Court;
- (c) the unique nature of the role of judges;

- (d) in the case of Provincial Court judges, the need to maintain a strong Provincial Court by attracting highly qualified applicants;
- (e) the remuneration and benefits other judges in Canada receive;
- (f) increases and decreases, as applicable, in the Alberta real primary household income per capita;
- (g) the need to provide fair and reasonable compensation in light of prevailing economic conditions in Alberta and the overall state of the economy, including the financial position of the Government;
- (h) the Alberta cost of living index and the position of the judges relative to its increases or decreases, or both;
- (i) the nature of the jurisdiction of judges;
- (j) the level of increases or decreases, or both, provided to other programs and persons funded by the Government;
- (k) any other factors considered by the Commission to be relevant to the matters in issue.

Voluntary meetings

14 The Minister and the Association may meet at any time to discuss improvements to the Commission inquiry process.

Provision of order in council and legislation to judges

15(1) The Association shall, forthwith after receiving the copy of the order made under section 8(2) provide a copy of it to the judges.

(2) The Minister shall, as soon as practicable, provide the Association with a copy of any legislation implementing the report and the order referred to in subsection (1) and the Association shall provide the judges with copies of the legislation forthwith after receiving it.

Confidentiality of the report

16 Subject to sections 6, 7(2) and 8(1), every person having access to the report or any proposed recommendations in it shall not disclose it or them to any other person, unless pursuant to an order of a court, until the order in council referred to in section 8(2) has been made.

Association's costs of making submissions

17(1) The Crown shall pay the reasonable costs incurred by the Association in making its submissions to the Commission in an amount not exceeding the amount set by order of the Minister, which order must be made within a reasonable period of time before the date set by the Commission for the commencement of its inquiry hearings.

(2) If the Minister does not agree with the costs incurred by the Association for the purposes of subsection (1), including lawyers' charges and other costs of the proceedings before the Commission, then, on the Minister's application, the reasonableness of those costs may be reviewed by a review officer, in which case Rule 10.46 (including the right of appeal under Rule 10.46(4)) of the *Alberta Rules of Court* (AR 124/2010) applies.

Judicial review

18(1) If

- (a) the Lieutenant Governor in Council decides, with reasons, not to accept any of the recommendations in whole or in part,
- (b) the Association or any judge brings an application for judicial review of that decision, and
- (c) that application is successful,

the Court may not make the report binding on the Crown but may refer the report to the Lieutenant Governor in Council or to the Commission for a reconsideration.

(2) If the Court makes the reference under subsection (1), the Lieutenant Governor in Council or the Commission, as the case may be, has 120 days from the day that the application was granted to reconsider the recommendations in accordance with the directions, if any, of the Court.

Service of notices

19(1) A notice that is required by this Regulation to be given to the Minister must be given

- (a) by leaving a written copy of the notice at the legislative office of the Minister, or
- (b) by service on counsel as provided for in the *Alberta Rules of Court* (AR 124/2010), if the Minister has given notice in writing of the appointment of counsel.

(2) A notice that is required by this Regulation to be given to the Association must be given

- (a) by leaving a written copy of the notice at its registered office, or
- (b) by service on its counsel as provided for in the *Alberta Rules of Court* (AR 124/2010), if the Association has given notice in writing of the appointment of its counsel.

(3) Notwithstanding anything in this section, a document may be served, for the purposes of this Regulation, in accordance with any manner agreed in writing by the Minister and the Association with respect to such a document.

Expiry

20 This Regulation expires on March 31, 2023.

Commencement

21 This Regulation comes into force on April 1, 2017.

Alberta Regulation 63/2017
Provincial Offences Procedure Act
PROCEDURES REGULATION

Filed: March 30, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 119/2017) on March 29, 2017 pursuant to section 42 of the Provincial Offences Procedure Act.

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Definitions

1 In this Regulation,

- (a) “Act” means the *Provincial Offences Procedure Act*;
- (b) “electronic violation ticket” means a violation ticket that is in the form of an electronic document;
- (c) “JOIN” means the Justice Online Information Network administered by the Minister of Justice and Solicitor General;
- (d) “Minister” means the Minister of Justice and Solicitor General;
- (e) “motor vehicle” means a motor vehicle as defined in the *Traffic Safety Act*;
- (f) “municipal bylaw” means a bylaw of a municipality or a Metis settlement.

Violation tickets

2 A violation ticket may be used in respect of an offence under the following enactments:

- (a) *Blind Persons’ Rights Act*;
- (b) *Dangerous Goods Transportation and Handling Act*;
- (c) *Fisheries (Alberta) Act*;
- (d) *Forest and Prairie Protection Act*;

- (e) *Forests Act*;
- (f) *Fuel Tax Act*;
- (g) *Gaming and Liquor Act*;
- (h) *Insurance Act*, Part 7;
- (i) *Livestock Identification and Commerce Act*;
- (j) *Livestock and Livestock Products Act*;
- (k) *Occupational Health and Safety Act*;
- (l) *Petty Trespass Act*;
- (m) *Provincial Parks Act*;
- (n) *Residential Tenancies Act*;
- (o) *School Act*, section 27(1);
- (p) *Security Services and Investigators Act*;
- (q) *Service Dogs Act*;
- (r) *Stray Animals Act*;
- (s) *Tobacco and Smoking Reduction Act*;
- (t) *Tobacco Tax Act*;
- (u) *Traffic Safety Act*;
- (v) *Trespass to Premises Act*;
- (w) *Wildlife Act*;
- (x) any Regulation or orders made under any one or more of the Acts referred to in clauses (a) to (v);
- (y) a provision of
 - (i) the *Environmental Protection and Enhancement Act*, or
 - (ii) a regulation made under that Actfor which a specified penalty is set out in the Schedule;
- (z) the *Public Lands Administration Regulation* (AR 187/2011) for which a specified penalty is set out in the Schedule;

- (aa) the *Recreational Access Regulation* (AR 228/2003) for which a specified penalty is set out in the Schedule;
- (bb) any regulation made under Schedule 11 to the *Government Organization Act*;
- (cc) any municipal bylaw.

Part 2, Part 3 proceedings

3(1) Where a violation ticket is used, proceedings must be commenced under Part 2 of the Act in respect of an offence that

- (a) has no specified penalty, or
- (b) has a specified penalty of more than \$1000, excluding any applicable surcharge.

(2) Subject to section 22(3) of the Act, proceedings must be commenced under Part 3 of the Act in respect of an offence that has a specified penalty of \$1000 or less, excluding any applicable surcharge.

(3) If a person is issued a violation ticket in respect of an offence referred to in subsection (1)(b), that person may make a voluntary payment in accordance with the Act.

Public interest

4(1) In determining whether to issue a summons in the public interest under section 22(3) or 27(3) of the Act, a peace officer must consider the following factors:

- (a) the seriousness of the nature or consequences of the offence;
- (b) the number of previous convictions and outstanding fines levied against the defendant;
- (c) the number of outstanding proceedings commenced against the defendant under either Part 2 or Part 3 of the Act;
- (d) whether the defendant's operator's licence is an out-of-province operator's licence.

(2) Subject to subsection (3), a peace officer shall, if the peace officer determines it is in the public interest, issue a summons respecting any offence for which a voluntary payment may be made requiring the defendant to appear before a justice on the initial appearance date without the alternative of making a voluntary payment.

(3) Notwithstanding subsection (2), where the defendant has an out-of-province operator's licence, a peace officer may issue a summons that

- (a) gives the defendant the option of making a voluntary payment, and
- (b) does not require the defendant to appear before a justice on the initial appearance date to answer the summons if the defendant makes a voluntary payment in accordance with the Act.

(4) Nothing in this section restricts a peace officer from exercising the peace officer's discretion to instead of issuing a violation ticket to a person for contravening an enactment, use other measures as are appropriate, given the circumstances of the person involved.

Specified penalty

5(1) The specified penalty for a contravention of a provision of an Act or regulation is set out in the Schedule.

(2) The specified penalty for a contravention of a provision of a bylaw or ministerial order under section 44 of the Act is set out in the bylaw or ministerial order.

(3) If the owner of a motor vehicle that is involved in a contravention of the *Traffic Safety Act* or a municipal bylaw is charged with an offence under section 160 of the *Traffic Safety Act*, the specified penalty is the same as that provided for the driver of a motor vehicle involved in such a contravention.

(4) If the owner of an off-highway vehicle as defined in the *Traffic Safety Act* that is involved in a contravention of the *Traffic Safety Act* is charged with an offence under section 160 of the *Traffic Safety Act*, the specified penalty is the same as that provided for the driver of an off-highway vehicle involved in such a contravention.

Identification of offence

6(1) An offence shall be designated on a violation ticket in a manner, including the use of abbreviations, that is sufficient to permit the defendant to identify the offence.

(2) In addition to any other method of designating an offence, an offence may be designated on a violation ticket by either

- (a) placing a mark beside the name of the enactment, if the enactment is named on the violation ticket, or

- (b) stating the name of the enactment in the appropriate space, if the enactment is not named on the violation ticket,

and specifying the section number of the provision under which the offence is alleged.

(3) For the purpose of subsection (2), the name of a municipal bylaw may be stated by specifying

- (a) the number of the bylaw, and
- (b) the name commonly applied to the municipality or Metis settlement that made the bylaw.

Late payment charge

7(1) A defendant who is convicted of an offence pursuant to proceedings under Part 3 of the Act and fails to pay a fine imposed by a justice within the time allowed for payment or, if no time is allowed, forthwith shall be liable to pay a late payment charge equal to

- (a) \$20, or
- (b) 20% of the outstanding balance of the fine imposed,

whichever is greater.

(2) The amount calculated under subsection (1)(b) shall be rounded down to the nearest dollar.

(3) Unless otherwise ordered by a justice, a late payment charge shall not apply if the full amount of the fine is received within 48 hours after the date on which the fine is required to be paid.

Revenue offset

8(1) Section 14(3) of the Act applies to the fines imposed for convictions under the *Traffic Safety Act* and regulations made under that Act.

(2) The Crown may retain 26.67% of any amount collected in respect of each fine, rounded to the nearest dollar, imposed for a conviction under an enactment referred to in subsection (1).

Ex parte trial payment time

9 If a justice convicts a defendant under section 34 of the Act, the defendant shall be given at least 15 days from the date of conviction to pay the fine imposed and any applicable surcharge.

Appearance date

10 No person shall be required to appear before a justice in answer to a summons or to respond to an offence notice until 21 days have elapsed from the day that the summons or offence notice is issued.

Delivery of offence notice

11 An offence notice shall not be considered to be delivered to a Court office under section 33 or 36 of the Act until it is actually received by the Court office.

Criminal Code provisions

12(1) Sections 730, 734.7(1) and (3) and 809 and Part XVII of the *Criminal Code* (Canada) are not applicable to any proceedings to which the Act applies.

(2) Sections 731, 732, 732.1, 732.2, 733 and 734 of the *Criminal Code* (Canada) are not applicable to proceedings that are commenced under Part 3 of the Act.

Violation ticket

13(1) A violation ticket under Part 2 of the Act must contain at least the following elements:

- (a) the following heading:

Province of Alberta

- (b) a reasonably clear description of the defendant to facilitate identification;
- (c) the offence with which the defendant is charged;
- (d) the date on which the offence is alleged to have occurred;
- (e) the place at or near which the offence is alleged to have occurred;
- (f) the manner in which the defendant may respond to the summons;
- (g) the initial court appearance date and location;
- (h) the consequences to the defendant if the summons is not responded to by the date indicated.

(2) A violation ticket under Part 3 of the Act must contain at least the following elements:

- (a) the following heading:

Province of Alberta

- (b) a reasonably clear description of the defendant to facilitate identification;
- (c) the offence with which the defendant is charged;
- (d) the date on which the offence is alleged to have occurred;
- (e) the place at or near which the offence is alleged to have occurred;
- (f) the manner in which the defendant may respond to the offence notice;
- (g) the initial court appearance date and location;
- (h) the consequences to the defendant if the offence notice is not responded to by the date indicated.

(3) A violation ticket under Part 2 of the Act shall be in a form approved by the Minister.

(4) A violation ticket under Part 3 of the Act shall be in a form approved by the Minister.

(5) A violation ticket under Part 2 or Part 3 of the Act must use the numbering convention set by the Minister.

Electronic violation tickets under Part 2

14(1) The Court may use electronic violation tickets in carrying out the Court's functions in proceedings under Part 2 of the Act if

- (a) the complaint included in the electronic violation ticket
- (i) is endorsed in accordance with section 16 by the peace officer who issued the electronic violation ticket, and
- (ii) is filed with the Court in accordance with subsection (2),

and

- (b) the information included in the electronic violation ticket cannot be altered after the electronic violation ticket has been transmitted to JOIN.

(2) The complaint included in an electronic violation ticket is filed with the Court if

- (a) it has been transmitted to JOIN, and
- (b) the data necessary to display or print the complaint in a form approved by the Minister for any purpose under the Act has been stored in JOIN.

Electronic violation tickets under Part 3

15(1) Subject to subsection (2), the Court may use electronic violation tickets in carrying out the Court's functions in proceedings under Part 3 of the Act if

- (a) the certificate of offence included in the electronic violation ticket
 - (i) is endorsed in accordance with section 16 by the peace officer who issued the electronic violation ticket, and
 - (ii) is filed with the Court in accordance with subsection (3),

and

- (b) the information included in the electronic violation ticket cannot be altered after the electronic violation ticket has been transmitted to JOIN.

(2) If the defendant described in the electronic violation ticket is charged under section 160 of the *Traffic Safety Act* or the offence notice relates to an alleged parking violation, in addition to the requirements set out in subsection (1), the certificate of offence must contain the date that the offence notice was sent by ordinary mail to the defendant's address.

(3) The certificate of offence included in an electronic violation ticket is filed with the Court if

- (a) it has been transmitted to JOIN, and
- (b) the data necessary to display or print the certificate of offence in a form approved by the Minister for any purpose under the Act has been stored in JOIN.

Endorsement of electronic violation tickets

16(1) In this section, “identification information” means a peace officer’s name, badge or regiment number and the name of the law enforcement agency that the peace officer represents.

(2) The certificate of offence or complaint included in an electronic violation ticket must, instead of being signed by the peace officer who is the complainant referred to in section 25(2)(a) of the Act or the peace officer referred to in section 31(2)(a) of the Act, be endorsed by the peace officer in a manner

- (a) that electronically generates the peace officer’s identification information and associates it with the complaint or the certificate of offence, and
- (b) that is reasonably secure against unauthorized use.

(3) A manner of endorsement is presumed to be reasonably secure against unauthorized use if it is protected by a password issued in confidence to the peace officer whose identification information it generates.

Repeal

17 The *Procedures Regulation* (AR 233/89) is repealed.

Coming into force

18 This Regulation comes into force on the coming into force of *An Act to Modernize Enforcement of Provincial Offences*.

Schedule

**Part 1
Dangerous Goods Transportation
and Handling Act**

1 The specified penalty payable in respect of a contravention of a provision of the *Dangerous Goods Transportation and Handling Act* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Act)	Column 2 (Specified Penalty in Dollars)
1	11(a)	600
2	11(b)	600
3	11(c)	600
4	11(d)	600

5 13(2) 600

Part 2
Regulation under the Dangerous Goods
Transportation and Handling Act

Dangerous Goods Transportation
and Handling Regulation

- 1** The specified penalty payable in respect of a contravention of a provision of the English version of Parts II, IV, V and VIII of the *Transportation of Dangerous Goods Regulations* (SOR/2001-286) (Canada), as adopted and modified by the *Dangerous Goods Transportation and Handling Regulation* (AR 157/97), is \$600.
- 2** The specified penalty payable in respect of a contravention of a provision of the English version of Part III of the *Transportation of Dangerous Goods Regulations* (SOR/2001-286) (Canada), as adopted and modified by the *Dangerous Goods Transportation and Handling Regulation* (AR 157/97), is \$400.
- 3** The specified penalty payable in respect of a contravention of a provision of the English version of Part VI of the *Transportation of Dangerous Goods Regulations* (SOR/2001-286) (Canada), as adopted and modified by the *Dangerous Goods Transportation and Handling Regulation* (AR 157/97), shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 (Specified Penalty in Dollars)
1	6.1(1)	600
2	6.1(2)	600
3	6.3	600
4	6.6	600
5	6.7	600
6	6.8	200

Part 3
Environmental Protection and Enhancement Act

- 1** The specified penalty payable for a contravention of section 61 of the *Environmental Protection and Enhancement Act* in respect of the activity designated by Division 1, clause (k) of Schedule 1 to the *Activities Designation Regulation* (AR 276/2003) is \$100.
- 2** The specified penalty payable for a contravention of section 108(2) of the *Environmental Protection and Enhancement Act* in respect of

visible emissions prescribed by section 4 of the *Substance Release Regulation* (AR 124/93) is \$100.

3 The specified penalty payable in respect of a contravention of a provision of the *Environmental Protection and Enhancement Act* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Act)	(Specified Penalty in Dollars)
1	178	100
2	179	100
3	180	100
4	181	100
5	182	100

Part 4

Regulation under the Environmental Protection and Enhancement Act

Pesticide Sales, Handling, Use and Application Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Pesticide Sales, Handling, Use and Application Regulation* (AR 24/97) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	(Specified Penalty in Dollars)
1	6(1)(a) or (b)	100
2	6(3)	100
3	7	300
4	18	100
5	21	100
6	23(2) or (4)	200
7	24(a) or (b)	200
8	25	200
9	26(1) or (2)	300
10	28	100
11	29(1)	100

Part 5
**Regulation under the Environmental Protection
and Enhancement Act**

Potable Water Regulation

1 The specified penalty payable in respect of a contravention of section 9(2) of the *Potable Water Regulation* (AR 277/2003) is \$200.

Part 6
Fisheries (Alberta) Act

1 The specified penalty payable in respect of a contravention of section 10(1) of the *Fisheries (Alberta) Act* for engaging in sportfishing without a sportfishing licence is \$100.

2 The specified penalty payable for the contravention of section 18(1) of the Act for failing to carry a licence is \$50.

3(1) The specified penalty payable for the contravention of section 34.2(1) of the Act of a term or condition of a licence requiring the marking of a setline or gill net is \$150.

(2) The specified penalty payable for the contravention of section 34.2(1) of the Act of a term or condition of a licence requiring the completion and submission of records pertaining to the number and species of fish caught is \$300.

(3) The specified penalty payable for the contravention of section 34.2(1) of the Act of a term or condition of a licence requiring the reporting of any proposed activity is \$150.

4 The specified penalty payable for the contravention of section 34.4(3) of the Act for failing to comply with an order under section 23 is \$50.

Part 7
Regulation under the Fisheries (Alberta) Act

General Fisheries (Alberta) Regulation

1(1) The specified penalty for the contravention of section 14.1(6) of the *General Fisheries (Alberta) Regulation* (AR 203/97) is \$200 plus \$50 for each fish possessed or retained in contravention of that section.

(2) Where a person exceeds by more than 10 the number of fish possessed or retained in contravention of section 14.1(6), the person is required to appear before a justice without the alternative of making a voluntary payment.

2 The specified penalty payable in respect of a contravention of the *General Fisheries (Alberta) Regulation* (AR 203/97) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 (Specified Penalty in Dollars)
1	5(5)	75
2	8	250
3	14.1(8)	200
4	14.1(9)	150
5	15(3)(b)	250
6	16(1)	250
7	16(2)	200
8	16(3)	150
9	19(1)	150
10	34(2)	75

**Part 8
Forest and Prairie Protection Act**

1 The specified penalty payable in respect of a contravention of a provision of the *Forest and Prairie Protection Act* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 (Specified Penalty in Dollars)
1	14(3)(a)	250
2	14(3)(b)	500
3	15	150
4	18(1), (2) or (3)	250
5	20	250
6	21(3)	250
7	22(a), (b), (c), (d) or (e)	350
8	26(1)	500
9	26.2	350
10	31.3(2)	350
11	32(2.2)	500
12	35	250
13	36	500

Part 9
Regulation under the Forest
and Prairie Protection Act

Forest and Prairie Protection Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Forest and Prairie Protection Regulation* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 (Specified Penalty in Dollars)
1	3(a)	350
2	3(b)	250
3	3(c) or (d)	150
4	3(e)	350
5	4(2)	250
6	6	250
7	7	150
8	8(2)(a), (b), (c), (d) or (e)	250
9	8(3)	250
10	9(1) or (3)	500
11	10(1) or (2)	250

Part 10
Regulation under the
Forest and Prairie Protection Act

Forest and Prairie Protection (Ministerial) Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Forest and Prairie Protection (Ministerial) Regulation* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 (Specified Penalty in Dollars)
1	2(1) or (2)	250
2	3	250
3	4	250
4	5	350
5	6(1) or (2)	250

6	8	250
7	10(a)	250
8	11(4)	150

**Part 11
Fuel Tax Act**

1 The specified penalty payable in respect of a contravention of a provision of the *Fuel Tax Act* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Act)	Column 2 (Specified Penalty in Dollars)
1	17(1)	150
2	17(2)	150
3	17(3)(a)	150
4	17(3)(b) or (c)	150
5	18(1) or (3)	150
6	19(1) or (3)	150
7	20(1)	150
8	22(1)(a)(v)	150

**Part 12
Gaming and Liquor Act**

1 The specified penalty payable in respect of a contravention of section 50 of the *Gaming and Liquor Act* for the unlawful possession of liquor is \$200.

2 The specified penalty payable in respect of a contravention of a provision of the *Gaming and Liquor Act* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Act)	Column 2 (Specified Penalty in Dollars)
1	69(1)(b) or (c)	200
2	69(2)(a) or (b)	150
3	70	100
4	74(2)	100
5	74(3)	500
6	75	150
7	84	250
8	87(1)	100

9	87(2)	150
10	89(1)	100
11	115(1)	100

Part 13

Regulation under the Gaming and Liquor Act

Gaming and Liquor Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Gaming and Liquor Regulation* (AR 143/96) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 (Specified Penalty in Dollars)
1	34.01	250
2	34.2(2)	250
3	87.1(2)	100

Part 14

**Regulation under Schedule 11 of the
Government Organization Act**

1 The specified penalty payable in respect of a contravention of a provision of the *Crown Property Regulation* (AR 125/98) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 (Specified Penalty in Dollars)
1	2	50
2	3(1)	100
3	4	200
4	5	100
5	6	100
6	7	100

Part 15

Insurance Act

1 The specified penalty payable in respect of a contravention of section 822(4) of the *Insurance Act* is \$200.

Part 16
Regulation under the
Occupational Health and Safety Act

Occupational Health and Safety Regulation

1 The specified penalty payable in respect of a contravention of section 12(2) of the *Occupational Health and Safety Regulation* (AR 62/2003) is \$500.

Part 17
Regulation under the
Occupational Health and Safety Act

Occupational Health and Safety Code

1 In this Part, “Code” means the Occupational Health and Safety Code 2009 made by the Occupational Health and Safety Council on February 9, 2009 and adopted under section 1 of the *Occupational Health and Safety Code 2009 Order* (AR 87/2009).

2 The specified penalty payable in respect of a contravention of a provision of the Code shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Code)	Column 2 (Specified Penalty in Dollars)
1	24	500
2	26(1)	300
3	47(1)	100
4	62(1)	300
5	62(2)	300
6	82(1)	100
7	82(2)	300
8	90	500
9	97(2)	200
10	122(2)	500
11	122(3)	300
12	133(1)	200
13	136	200
14	139(8)	200
15	142(2)	200
16	155(3)	200
17	161(1)	500
18	162(3)	200
19	170.1(5)	300
20	170.1(6)	100

21	185	500
22	187.1(1)	300
23	194(2)	500
24	194(3)	200
25	229(1)	300
26	233(1)	300
27	235(1)	300
28	236(1)	300
29	255	500
30	256(3)	200
31	276	200
32	279(1)	500
33	279(2)	200
34	305(1)	500
35	305(2)	500
36	306(2)	500
37	306(3)	500
38	307	500
39	313(2)	500
40	314(2)	500
41	318(1)	500
42	324(4)	500
43	327(1)	500
44	327(2)	200
45	328(1)	500
46	328(2)	200
47	334(2)	200
48	334(3)	200
49	349(3)	500
50	349(4)	100
51	367(2)	200
52	374	100
53	375(2)	500
54	407	500
55	466(2)	200
56	523	500
57	526(1)	300
58	526(2)	100
59	621	500
60	648(3)	200
61	693(2)	200
62	693(3)	200
63	755(2)	300
64	794(2)	200
65	810	300
66	827(4)	100

Part 18
Petty Trespass Act

1(1) The specified penalty payable in respect of a contravention of section 2(1) of the *Petty Trespass Act* is \$250.

(2) Where a person is charged with a 2nd or subsequent offence for the contravention of section 2(1) of the *Petty Trespass Act* with respect to the same land, the person is required to appear before a justice without the alternative of making a voluntary payment.

2 The specified penalty payable for the contravention of section 2.1(4) of the *Petty Trespass Act* is \$250.

Part 19
Regulation under the Provincial Parks Act

Provincial Parks (General) Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Provincial Parks (General) Regulation* (AR 102/85) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Numbers	Column 1 (Section Number of Regulation)	Column 2 Specified Penalty in Dollars
1	3(b)	150
2	5(1) or (2)	150
3	7	250
4	9	250
5	10	250
6	11(1)	100
7	11(2)	250
8	11.1	150
9	11.2(1)(b)	250
10	11.2(2)(b)	250
11	11.3	250
12	12(1)	150
13	12(2)	250
14	12(3)	150
15	13	150
16	14	150
17	14.1	250
18	15(1)(2)	100
19	16(a), (b), (c) or (d)	100
20	19	100

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21	20(1)	250
22	22(2)	250
23	23(a)	250
24	24	250
25	25	250
26	26	250
27	27(1)	250
28	27(2)	150
29	28	50
30	31	100
31	35(1)(a) or (b)	100
32	36(1)	100
33	36(2) or (3)	50
34	38(4)	100
35	38.1	100
36	39	100
37	40(1)	100
38	41(1)	50
39	41.1(4)	100
40	42(3)	250
41	44(2)(a) or (b)	250
42	45(1)(a), (d), (e) or (f)	250
43	45(1)(b)	500
44	45(1)(c)	100
45	46(1)	250
46	46(1.1)	250
47	46(4)	150
48	47	250

Part 20

Regulation under the Public Lands Act

Public Lands Administration Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Public Lands Administration Regulation* (AR 187/2011) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 Specified Penalty in Dollars)
1	181(a)	350
2	181(b)	250
3	183(1)	150
4	183(2)	150

5	185(1)	250
6	185(4)(a)	250
7	185(4)(b) or (c)	150
8	185(5)	500
9	185(6)	250
10	185(7)(a)	150
11	185(7)(b)	500
12	187(1)	500
13	188(1)	250
14	188(2)	500
15	189(1)	250
16	190(1)	150
17	191(1)	250
18	191(2)	100
19	192	250
20	193(1)	150
21	194(1)	100
22	195	250
23	196	100
24	197(1)	150
25	197(2)	150
26	198	250
27	200(1)	150
28	203	150
29	206(1)	250
30	206(2)	100
31	207	100
32	Schedule 4, Part B, section 5	100
33	Schedule 4, Part C, section 8(4)	100
34	Schedule 4, Part D, section 12(4)	100
35	Schedule 4, Part I, section 34(3)	250
36	Schedule 4, Part J, section 36(1)	150
37	Schedule 4, Part K, section 38	250
38	Schedule 4, Part R, section 55(2)	150
39	Schedule 7, section 58(a)	350
40	Schedule 7, section 58(b)	250
41	Schedule 7, section 59(1)	250

Part 21
Regulation under the Public Lands Act

Recreational Access Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Recreational Access Regulation* (AR 228/2003) shown in Column 1 is shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 Specified Penalty in Dollars)
1	5(3)	250
2	9(1)(a)	250
3	9(1)(b)	200
4	9(1)(c)	150
5	9(1)(d)	500
6	9(1)(e)	250
7	9(1)(f)	350
8	9(2)(a)	350
9	9(2)(c)	250
10	9(2)(d)	250
11	9(2)(e)	250
12	9(2)(f)	250
13	9(3)(a)	250
14	9(3)(b)	200
15	9(3)(c)	150
16	9(3)(d)	250
17	9(3)(e)	350
18	9(4)(a)	350
19	9(4)(b)	250
20	9(4)(c)	250
21	9(4)(d)	250

Part 22
Residential Tenancies Act

1 The specified penalty payable in respect of a contravention of a provision of the *Residential Tenancies Act* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 Specified Penalty in Dollars)
1	6(2)	250
2	18	150
3	19(6)	150

4	24	400
5	31(13) or (14)	150
6	43	150
7	44(1) or (3)	250
8	44(5) or (6)	150
9	45	250
10	46(2) or (6)	250

Part 23

Regulation under the Residential Tenancies Act

Residential Tenancies Ministerial Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Residential Tenancies Ministerial Regulation* (AR 211/2004) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 (Specified Penalty in Dollars)
1	2	250
2	3	150
3	4	150
4	5	150
5	7	250
6	8	250
7	9	250

Part 24

Regulation under the Residential Tenancies Act

Subsidized Public Housing Regulation

1 The specified penalty payable in respect of a contravention of section 4(1) of the *Subsidized Public Housing Regulation* (AR 191/2004) is \$150.

Part 25

Security Services and Investigators Act

1 The specified penalty payable in respect of a contravention of a provision of the *Security Services and Investigators Act* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	18(a)	100
2	18(b) or (c)	250
3	19(a)	100
4	19(b), (c) or (j)	250
5	19(d), (e), (f), (g), (h) or (i)	500
6	21	100
7	31(1), (2) or (3)	100
8	32(a), (b) or (c)	250
9	34(1)	100
10	36(a) or (b)	250
11	38	500
12	39(a), (b), (c), (d) or (e)	500
13	40	250
14	41	250
15	44(1) or (2)	500

Part 26
Regulation under the Security Services
and Investigators Act

Security Services and Investigators Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Security Services and Investigators Regulation* (AR 52/2010) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	3(1)	500
2	3(2)	100
3	4(2)	500
4	5(a) or (b)	250
5	6(2) or (3)	100
6	7(1)	100
7	8(1) or (2)	500
8	12(1)(a), (c) or (d)	100
9	12(2)	100
10	12(3)	250
11	12(5)	250
12	12(6) or (7)	100
13	13	100

Part 27
Regulation under the Security Services
and Investigators Act

Security Services and Investigators
(Ministerial) Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Security Services and Investigators (Ministerial) Regulation* (AR 55/2010) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 Specified Penalty in Dollars)
1	14(3)	500
2	16(4)	250
3	18(1)	250
4	18(2)	100
5	21(1), (2), (3) or (4)	100
6	23(1), (2), (3), (4) or (5)	100
7	24(2)	100
8	25(1), (2), (4) or (5)	100
9	26	250
10	27(1) or (2)	250
11	28(2) or (3)	250

Part 28
Stray Animals Act

1 The specified penalty payable in respect of a contravention of the *Stray Animals Act* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 Specified Penalty in Dollars)
1	37(1)	50
2	37(2)	75

Part 29
Tobacco and Smoking Reduction Act

1 The specified penalty payable in respect of a contravention of section 7.5(1) of the *Tobacco and Smoking Reduction Act* is

- (a) if the person is an individual, \$250, and
- (b) if the person is a retailer, \$500.

2 The specified penalty payable in respect of a contravention of the *Tobacco and Smoking Reduction Act* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 Specified Penalty in Dollars)
1	3(a), (b), (c) or (d)	250
2	3(b.1)	250
3	3.1(1)(a), (b), (c) or (d) or (2)	100
4	6	500
5	7(1), (2) or (3)	250
6	7(2.1)	250
7	7.1	500
8	7.2(1)(a) or (b)	500
9	7.21	500
10	7.3(a), (b), (c) or (d)	500
11	7.4(2)	500
12	7.5(2)	500

**Part 30
Tobacco Tax Act**

1 The specified penalty payable in respect of a contravention of section 3(1) of the *Tobacco Tax Act* is \$500.

2(1) The specified penalty payable in respect of a contravention of section 4(1) of the *Tobacco Tax Act*

- (a) if the person is a consumer,
 - (i) for the purchase, possession, storing, selling or offering for sale of 400 cigarettes or grams of tobacco or less is \$250, and
 - (ii) for the purchase, possession, storing, selling or offering for sale of more than 400 cigarettes or grams of tobacco, but not more than 1000 cigarettes or grams of tobacco, is \$500,

and

- (b) if the person is not a consumer, for the purchase, possession, storing, selling or offering for sale of 1000 cigarettes or grams of tobacco or less is \$1000.

(2) Where the person purchases, possesses, stores, sells or offers for sale more than 1000 cigarettes or grams of tobacco in contravention of section 4(1) of the *Tobacco Tax Act*, the person is required to appear before a justice without the alternative of making a voluntary payment.

3(1) The specified penalty payable in respect of a contravention of section 4(3) of the *Tobacco Tax Act*

- (a) for the purchase or possession of 400 cigarettes or grams of tobacco or less is \$250, and
- (b) for the purchase or possession of more than 400 cigarettes or grams of tobacco but not more than 1000 cigarettes or grams of tobacco is \$500.

(2) Where the person purchases or possesses more than 1000 cigarettes or grams of tobacco in contravention of section 4(3) of the *Tobacco Tax Act*, the person is required to appear before a justice without the alternative of making a voluntary payment.

4(1) The specified penalty payable for the contravention of section 4(4) of the *Tobacco Tax Act* for the possession of 1000 cigarettes or grams of tobacco or less over the permitted amount is \$250.

(2) Where a person is charged with a 2nd or subsequent offence for the contravention of section 4(4) of the *Tobacco Tax Act* for the possession of 1000 cigarettes or grams of tobacco or less over the permitted amount, the person is required to appear before a justice without the alternative of making a voluntary payment.

(3) Where a person is charged with possession of more than 1000 cigarettes or grams of tobacco over the permitted amount in contravention of section 4(4) of the *Tobacco Tax Act*, the person is required to appear before a justice without the alternative of making a voluntary payment.

5(1) The specified penalty payable for the contravention of section 4(5) of the *Tobacco Tax Act* is \$500.

(2) Where a person is charged with a 2nd or subsequent offence for contravening section 4(5) of the *Tobacco Tax Act*, the person is required to appear before a justice without the alternative of making a voluntary payment.

6(1) The specified penalty payable in respect of a contravention of section 4.1 of the *Tobacco Tax Act* for the possession of

- (a) 2000 cigarettes or less,
- (b) 2000 grams of tobacco or less or cigars containing 2000 grams of tobacco or less, or
- (c) any combination containing 2000 grams of tobacco or less,

over the permitted amount is \$1000.

(2) Where a person possesses more than

- (a) 2000 cigarettes,
- (b) 2000 grams of tobacco or cigars containing 2000 grams of tobacco, or
- (c) any combination containing 2000 grams of tobacco,

over the permitted amount in contravention of section 4.1 of the *Tobacco Tax Act*, the person is required to appear before a justice without the alternative of making a voluntary payment.

7(1) The specified penalty payable in respect of a contravention of section 7(3) of the *Tobacco Tax Act*

- (a) if the person is a consumer,
 - (i) for the sale, offering for sale or purchase of 400 cigarettes or grams of tobacco or less is \$250, and
 - (ii) for the sale, offering for sale or purchase of more than 400 cigarettes or grams of tobacco, but not more than 1000 cigarettes or grams of tobacco, is \$500,

and

- (b) if the person is not a consumer, for the sale, offering for sale or purchase of 1000 cigarettes or grams of tobacco or less is \$1000.

(2) Where a person sells, offers for sale or purchases more than 1000 cigarettes or grams of tobacco in contravention of section 7(3) of the *Tobacco Tax Act*, the person is required to appear before a justice without the alternative of making a voluntary payment.

Part 31 Traffic Safety Act

1 The specified penalty for the contravention of section 65(1)(a) or (b) of the *Traffic Safety Act* is the amount provided for the

contravention of the relevant provision of the *Vehicle Equipment Regulation* (AR 122/2009).

2 The specified penalty for the contravention of section 111 or 115(2)(a) of the *Traffic Safety Act* is the amount provided for the contravention of the relevant provision of the *Use of Highway and Rules of the Road Regulation* (AR 304/2002).

3(1) The specified penalty for the contravention of section 131(1)(f) of the *Traffic Safety Act* is \$27 per 100 kg for overloads up to 5000 kg and \$47 per 100 kg for overloads over 5000 kg.

(2) The specified penalty for the contravention of sections 131(1)(h), (i), (j), (k) and (l) of the *Traffic Safety Act* is \$34 per 100 kg for overloads up to 5000 kg and \$47 per 100 kg for overloads over 5000 kg.

4 The specified penalty payable in respect of a contravention of a provision of the *Traffic Safety Act* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Act)	Column 2 (Specified Penalty in Dollars)
1	51(a), (b) or (c)	270
2	51(d)	203
3	51(e) to (f.3)	270
4	51(g)	135
5	51(h)	270
6	51(j) to (s)	405
7	52(1)(a)	270
8	52(1)(b)	405
9	52(1)(d)	270
10	52(1)(e)	405
11	53(1)(a)	135
12	53(1)(b) to (d)	270
13	53(2)	270
14	61(2)(a) to (c)	405
15	65(1)(a)	see section 1 of this Part
16	65(1)(b)	see section 1 of this Part
17	65(1)(c)	135
18	65(1)(d)	135
19	65(1)(i)	270
20	65(1)(j)	270
21	66(5)	203
22	68(2)	405
23	71(1) to (4)	338
24	76(1)(a) or (b)	270

25	80(a)	270
26	111	see section 2 of this Part
27	115(2)(a)	see section 2 of this Part
28	115(2)(b) to (f)	473
29	115(2)(i) to (k)	203
30	115(2)(l) or (m)	405
31	115(2)(n)	405
32	115(2)(p)	see Part 32
33	115(2)(q)	203
34	115(2)(r)	see Part 32
35	115(2)(s)	203
36	115.1(1)	250
37	115.2(1)	250
38	115.3(1)	250
39	115.4(1)	250
40	119(1)(a)	135
41	119(1)(b) to (d)	270
42	120(2)(a)	473
43	120(2)(b) or (c)	270
44	120(3)	270
45	121(1) or (2)	203
46	123(2) or (3)	203
47	124(1) or (4)	203
48	124(6)	270
49	131(1)(a), (b), (c) or (d)	405
50	131(1)(e)	675
51	131(1)(f)	see section 3(1) of this Part
52	131(1)(g)	270
53	131(1)(h)	see section 3(2) of this Part
54	131(1)(i)	see section 3(2) of this Part
55	131(1)(j)	see section 3(2) of this Part
56	131(1)(k)	see section 3(2) of this Part
57	131(1)(l)	see section 3(2) of this Part
58	131(1)(m)	270
59	131(1)(n)	405
60	137(a)	338
61	137(b)	270
62	138	270
63	140(1)	270
64	145	270
65	147	270
66	160(1) or (2)	see section 5(3) of this Regulation
67	166(2)(a) or (c)	338
68	166(2)(b)	203
69	166(3)	203
70	166(4)	203
71	167(1), (2) or (6)	203

Part 32
Traffic Safety Act

(speeding offences)

1 The specified penalty payable in respect of contraventions of section 115(2)(p), (p.1) and (r) of the *Traffic Safety Act* and sections 53(5)(c) and 70 of the *Use of Highway and Rules of the Road Regulation* (AR 304/2002) are those set out in the Table in this Part.

2 Where a person exceeds the speed limits referred to in the sections referred to in section 1 by more than 50 kilometres per hour, the person is required to appear before a justice without the alternative of making a voluntary payment.

Table

Kilometres over limit	Amount of specified penalty (in dollars)	Kilometres over limit	Amount of specified penalty (in dollars)
1	68	26	184
2	70	27	189
3	73	28	196
4	76	29	203
5	78	30	208
6	81	31	220
7	84	32	228
8	86	33	239
9	89	34	248
10	92	35	258
11	95	36	269
12	97	37	278
13	100	38	290
14	103	39	300
15	105	40	311
16	122	41	321
17	130	42	331
18	134	43	342
19	142	44	351
20	146	45	360
21	153	46	371
22	161	47	382
23	165	48	392
24	173	49	402
25	177	50	413

Part 33
Traffic Safety Act

(speeding offences — construction zone/emergency vehicles)

1 The specified penalty payable in respect of contraventions of section 115(2)(p.2) and (t) of the *Traffic Safety Act* are those set out in the Table in this Part.

2 Where a person exceeds the speed limits referred to in the sections referred to in section 1 by more than 50 kilometres per hour, the person is required to appear before a justice without the alternative of making a voluntary payment.

Table

Kilometres over limit	Amount of specified penalty (in dollars)	Kilometres over limit	Amount of specified penalty (in dollars)
1	136	26	368
2	140	27	378
3	146	28	392
4	152	29	406
5	156	30	416
6	162	31	440
7	168	32	456
8	172	33	478
9	178	34	496
10	184	35	516
11	190	36	538
12	194	37	556
13	200	38	580
14	206	39	600
15	210	40	622
16	244	41	642
17	260	42	662
18	268	43	684
19	284	44	702
20	292	45	720
21	306	46	742
22	322	47	764
23	330	48	784
24	346	49	804
25	354	50	826

Part 34
Regulation under the Traffic Safety Act

**Bill of Lading and Conditions
of Carriage Regulation**

1 The specified penalty payable in respect of a contravention of a provision of the *Bill of Lading and Conditions of Carriage Regulation* (AR 313/2002) is \$68.

Part 35
Regulation under the Traffic Safety Act

**Commercial Vehicle Certificate
and Insurance Regulation**

1 The specified penalty payable in respect of a contravention of a provision of the *Commercial Vehicle Certificate and Insurance Regulation* (AR 314/2002) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 (Specified Penalty in Dollars)
1	2(1) or (2)	270
2	3(1)	270
3	10(1)	270
4	11(1)	270
5	19(1) or (2)	270
6	20(1)	270
7	24(2), (3) or (4)	270
8	26(2)	270
9	28	270
10	29(2)	270
11	40(1) or (2)	270
12	41(1)	270
13	42(1) or (2)	270
14	47(1) to (3)	270
15	48(1)	270
16	52(2)	270
17	53(1) or (3)	270
18	54	270
19	57	270

Part 36
Regulation under the Traffic Safety Act

**Commercial Vehicle Dimension
and Weight Regulation**

- 1** The specified penalty for the contravention of section 9(1) and (3) of the *Commercial Vehicle Dimension and Weight Regulation* (AR 315/2002) is \$27 per 100 kg for overloads of up to 5000 kg and \$47 per 100 kg for overloads over 5000 kg.
- 2** The specified penalty for the contravention of sections 11(2) and 12(4) of the *Commercial Vehicle Dimension and Weight Regulation* (AR 315/2002) is \$34 per 100 kg for overloads of up to 5000 kg and \$47 per 100 kg for overloads over 5000 kg.
- 3** The specified penalty payable in respect of a contravention of a provision of the *Commercial Vehicle Dimension and Weight Regulation* (AR 315/2002) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 Specified Penalty in Dollars)
1	3	270
2	4	270
3	9(1) or (3)	see section 1 of this Part
4	10(3)	270
5	11(2)	see section 2 of this Part
6	12(4)	see section 2 of this Part
7	15(3) or (4)	270
8	16	270
9	18(4)	270

Part 37
Regulation under the Traffic Safety Act

Commercial Vehicle Safety Regulation

- 1** The specified penalty payable in respect of a contravention of a provision of the *Commercial Vehicle Safety Regulation* (AR 121/2009) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	3	270
2	4(1)	see section 3 of this Part
3	4(2)	270
4	5(2)(a)	see section 4 of this Part
5	5(2)(b)	see Part 42
6	5(3)	see section 5 of this Part
7	5(4)	see section 6 of this Part
8	5(5)(a)	see section 7 of this Part
9	5(5)(b)	270
10	5(6)	270
11	6(1), (2), (3), (4) or (5)	270
12	7	270
13	8	270
14	10(2), (4)(a), (4)(b), (8)(a) (8)(b), (9) or (11)	270
15	11(1), (3) or (4)	270
16	12(2), (3), (4), (5) or (6)	270
17	13(1) or (2)	270
18	14(a) or (b)	270
19	15(a) or (b)	270
20	16(a) or (b)	270
21	17(3)	see section 2 of this Part
22	17(4)	675
23	18(a)	see Part 31
24	18(b)	see section 7 of this Part
25	19(1), (6) or (7)	270
26	20(1)	270
27	21	270
28	22(1)	270
29	23(2)	270
30	24	270
31	25(1) or (2)	270
32	26(1) or (2)	270
33	27	270
34	28(1) or (2)	270
35	29	270
36	30	270
37	31(2)	see section 8 of this Part
38	32(2)	270
39	33(1) or (2)	270
40	35(1), (2) or (3)	270
41	36	270
42	37(2), (3) or (4)	270
43	38(1) or (2)	270
44	39	270

2(1) In this Part, “Standard” means the National Safety Code for Motor Carriers Standard 10 (Cargo Securement) made by the Canadian Council of Motor Transport Administrators dated June 2013, as amended from time to time, and adopted under section 2 of the *Commercial Vehicle Safety Regulation* (AR 121/2009).

(2) The specified penalty for the contravention of section 17(3) of the *Commercial Vehicle Safety Regulation* (AR 121/2009) is the amount provided for the contravention of the relevant provision in the Standard provided for in this section.

(3) The specified penalty payable in respect of a contravention of a provision of section 3(1), (2), (3) or (5) of Part 1, Division 1 of the Standard is \$675.

(4) The specified penalty payable in respect of a contravention of a provision of Part 1, Division 2 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	4(1)	675
2	4(2)	203
3	4(3)	675
4	5	675
5	6	675

(5) The specified penalty payable in respect of a contravention of a provision of Part 1, Division 3 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	9	675
2	10(2) or (3)	675
3	11(4)	675
4	13	675
5	14	405
6	15	203
7	16	203
8	17	675
9	18	675

(6) The specified penalty payable in respect of a contravention of a provision of Part 1, Division 4 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	19(1), (2) or (4)	675
2	20	203
3	22(2), (3) or (4)	675

(7) The specified penalty payable in respect of a contravention of a provision of Part 1, Division 5 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	23(2)	405
2	24	405
3	25	405
4	26	405

(8) The specified penalty payable in respect of a contravention of a provision of Part 2, Division 1 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	29	675
2	30	675
3	31	675
4	33	675
5	34(2)	675
6	35	675
7	36	675
8	37	675
9	38	675
10	39	675
11	40(2), (3), (4) or (5)	675

(9) The specified penalty payable in respect of a contravention of a provision of Part 2, Division 2 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	42	675
2	43	675
3	44	675
4	45	675
5	46(1)	675
6	46(2)	405
7	47	675

(10) The specified penalty payable in respect of a contravention of a provision of Part 2, Division 3 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	49(2) or (3)	675
2	49(4)	405
3	50(2)	675
4	50(3)	405
5	50(4)	675
6	52(1)	675
7	52(2)	405
8	52(3)	675
9	53(1)	675
10	53(2)	405
11	53(3)	675
12	54(1)	675
13	54(2)	405
14	54(3)	675
15	55(2)	675
16	55(3)	405
17	55(4)	675
18	56	675
19	57	675
20	58	675

(11) The specified penalty payable in respect of a contravention of a provision of Part 2, Division 4 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	60	405

2	61	675
3	62	675
4	63(2)	675
5	63(3) or (5)	405
6	63(6), (7) or (8)	675
7	64(2)	675
8	65(3) or (4)	675
9	65(5)	405
10	65(6)	675
11	66(2) or (3)	675
12	67	675
13	68(3), (4), (5) or (6)	675
14	68(7)	405
15	69(2), (3), (4) or (5)	675
16	70(3), (4) or (5)	675
17	71(2) or (3)	675
18	72(2)	675
19	72(3)	405
20	72(4)	675

(12) The specified penalty payable in respect of a contravention of a provision of Part 2, Division 5 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	75(2), (3), (4), (5) or (6)	405
2	76	675
3	77	675
4	78	675
5	79(2), (3) or (4)	675
6	80(3) or (4)	675
7	81(2) or (3)	675
8	82(2), (3), (4), (5), (6) or (7)	675

(13) The specified penalty payable in respect of a contravention of a provision of Part 2, Division 6 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	84(2), (3) or (4)	675
2	85(2), (3) or (4)	675
3	86(2), (4) or (5)	675

(14) The specified penalty payable in respect of a contravention of a provision of Part 2, Division 7 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	88(2), (3), (4) or (6)	675
2	89(2), (3) or (4)	675
3	91	675
4	92	675
5	93	675

(15) The specified penalty payable in respect of a contravention of a provision of Part 2, Division 8 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	95	675
2	96(1) or (2)	675

(16) The specified penalty payable in respect of a contravention of a provision of Part 2, Division 9 of the Standard shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Code)	Specified Penalty in Dollars)
1	98(1), (2) or (3)	675
2	98(4)	405
3	99(1)	675
4	99(2)	405
5	100	675

3(1) The specified penalty for the contravention of section 4(1) of the *Commercial Vehicle Safety Regulation* (AR 121/2009) is the amount provided for the contravention of the relevant provision in Schedule 1 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) provided for in subsection (2).

(2) The specified penalty payable in respect of a provision of Schedule 1 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	1(2) or (4)	270
2	2	270
3	3(2) or (3)	270
4	4(2) or (3)	270
5	5(1) or (2)	270
6	6(1) or (2)	270
7	7(1)	270
8	8	270
9	9(1), (2) or (3)	270
10	10	270
11	11(a) or (b)	270
12	13(1)(a)	135
13	13(1)(b) or (1)(c)	270
14	14	270
15	15(1), (2)(a), (2)(b) or (2)(c)	270
16	16(1) or (2)	270
17	17(1), (2), (3), (4) or (5)	270

4(1) The specified penalty for the contravention of section 5(2)(a) of the *Commercial Vehicle Safety Regulation* (AR 121/2009) is the amount provided for the contravention of the relevant provision in Schedule 2 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) provided for in subsection (2).

(2) The specified penalty payable in respect of a provision of Schedule 2 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	1(1) or (2)	270
2	2	270
3	3	270
4	4	270
5	5(2)	270
6	6	270
7	7(1) or (2)	270
8	8(a), (b), (c), (d) or (e)	270
9	9(2)(a), (b), (c), (d), (e) or (f)	270
10	10	270
11	11(2)	270

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12	12	270
13	13	270
14	14	270
15	15	270
16	16(2)	270
17	17	270
18	18	270
19	19	270
20	20(2)	270
21	21(2)	270
22	22	270
23	23	270
24	24	270
25	25(1) or (2)	270
26	26	270
27	27	270
28	28(2) or (3)	270
29	29	270
30	30	270
31	31(1) or (2)	270
32	32	270
33	33	270

5(1) The specified penalty for the contravention of section 5(3) of the *Commercial Vehicle Safety Regulation* (AR 121/2009) is the amount provided for the contravention of the relevant provision in Schedule 3 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) provided for in subsection (2).

(2) The specified penalty payable in respect of a provision of Schedule 3 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	1	270
2	2	270
3	3	270
4	4	270
5	5(1) or (2)	270
6	6	270
7	7	270
8	8	270
9	9(1) or (2)	270

6(1) The specified penalty for the contravention of section 5(4) of the *Commercial Vehicle Safety Regulation* (AR 121/2009) is the amount provided for the contravention of the relevant provision in Schedule 4 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) provided for in subsection (2).

(2) The specified penalty payable in respect of a provision of Schedule 4 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	2	270
2	3(1), (2), (3), (4), (5), (6), (7), (8), (9), (10) or (11)	270
3	4(1), (2), (3), (4), (5), (6), (7), (8), (9) or (10)	270
4	5	270
5	6	270
6	7	270
7	8	270
8	9	270
9	10	270
10	11	270
11	12	270
12	13	270
13	14(1) or (2)	270

7(1) The specified penalty for the contravention of section 5(5)(a) of the *Commercial Vehicle Safety Regulation* (AR 121/2009) is the amount provided for the contravention of the relevant provision in Schedule 5 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) provided for in subsection (2).

(2) The specified penalty payable in respect of a provision of Schedule 5 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	2(1), (3) or (4)	270
2	3(1), (2) or (3)	270
3	4(1) or (2)	270
4	5(1) or (2)	270

5	6(1) or (2)	270
6	7	270
7	8(1) or (2)	270
8	9(1), (2), (3), (4), (5) or (6)	270
9	10(1), (2) or (3)	270
10	11(1), (2), (3) or (4)	270
11	12(1) or (2)	270
12	13	270
13	14	270
14	15(1), (2) or (3)	270
15	16	270
16	17	270
17	18	270
18	19	270
19	20	270
20	21	270
21	22(1) or (2)	405
22	23(2), (3) or (4)	270
23	24	270
24	25(1) or (2)	270
25	26	270
26	27	270
27	28	270
28	29	270
29	30	270
30	31	270

8(1) The specified penalty for the contravention of section 31(2) of the *Commercial Vehicle Safety Regulation* (AR 121/2009) is the amount provided for the contravention of the relevant provision in Schedule 6 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) provided for in subsection (2).

(2) The specified penalty payable in respect of a provision of Schedule 6 to the *Commercial Vehicle Safety Regulation* (AR 121/2009) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	2	270
2	3(1) or (2)	270
3	4(1) or (2)	270
4	5	270
5	6	270
6	7	270
7	8	270

8	9	270
9	10(2), (3) or (4)	270
10	11(1)	270
11	12(1) or (2)	270
12	13(1), (2) or (3)	270
13	14(1) or (2)	270
14	15(1) or (2)	270

Part 38
Regulation under the Traffic Safety Act

Drivers' Hours of Service Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Drivers' Hours of Service Regulation* (AR 317/2002) is \$405.

Part 39
Regulation under the Traffic Safety Act

Off-highway Vehicle Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Off-highway Vehicle Regulation* (AR 319/2002) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	2	135
2	3	68
3	4	68
4	5	68
5	6	68
6	8	68
7	9	68
8	14	68
9	19	68
10	25	135
11	29(2)	68
12	29(3)	135
13	33(1)	68

Part 40
Regulation under the Traffic Safety Act

**Operator Licensing and Vehicle
Control Regulation**

1 The specified penalty payable in respect of a contravention of a provision of the *Operator Licensing and Vehicle Control Regulation* (AR 320/2002) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	8(1)	135
2	8(2)	270
3	9(2)	135
4	13(2)	135
5	16(1)	135
6	20(1) or (2)	135
7	27	270
8	29(3) or (5)	270
9	31	270
10	32(4)	135
11	33(8)	135
12	57(3)	135
13	65(4)	135
14	68(3)	135
15	70(2)	135
16	71(1)	135
17	72(6)	135
18	73(6)	135
19	75(1), (3) or (5)	270
20	85(2), (3) or (4)	135
21	86(4)	135
22	87(a)	135
23	87(b)	270
24	88(4) or (6)	135
25	93(1) or (2)	135
26	140(2)	338
27	142	135
28	148	338

Part 41
Regulation under the Traffic Safety Act

**Use of Highway and Rules of
the Road Regulation**

1 The specified penalty payable in respect of a contravention of a provision of the *Use of Highway and Rules of the Road Regulation* (AR 304/2002) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	2(1)(a)	203
2	2(1)(b) or (c)	135
3	2(4)	203
4	3	135
5	8	203
6	9	135
7	12(1)	203
8	12(2)(a) or (b)	135
9	13	135
10	14	135
11	15(1)(a) to (e)	203
12	15(2)	135
13	15(4)	203
14	15(5) or (6)	135
15	16(1)	135
16	17	203
17	18(1)	203
18	18(2)	135
19	19(1)	203
20	20	203
21	21(1)	135
22	21(2)	203
23	22(2)(b)	203
24	23	203
25	24	135
26	25	135
27	26	135
28	27(1), (2) or (4)	135
29	29	135
30	30	135
31	31	203
32	32	135
33	33	135
34	34	135
35	35	135

36	36(2) or (3)	135
37	37	338
38	38	203
39	39	338
40	40	203
41	41(1) or (2)	675
42	42(2) or (3)	270
43	42(4)(a)	338
44	42(4)(b)	270
45	42(5)	270
46	42(8)	68
47	42(9)	135
48	43(2) to (5)	135
49	44(d) to (o)	68
50	44(p)	203
51	44(q)	68
52	45(1)	68
53	46	68
54	47	68
55	48	68
56	49	135
57	49.1(2) or (3)	135
58	50	135
59	51	135
60	52(1) to (5)	135
61	53(1) to (4)	135
62	53(5)(c)	see Part 32
63	53(5)(d)	203
64	54(1)	338
65	54(4) to (6)	203
66	55(1)(a)	135
67	55(1)(b)	68
68	55(1)(c) or (d)	135
69	55(1)(e) or (f)	135
70	55(2)	135
71	55.1	135
72	55.2(1) or (2)	135
73	56(1)	135
74	56(2)(a) and (b)	135
75	57	203
76	58	203
77	59	135
78	60	135
79	62	135
80	65(1) or (2)	203
81	70	see Part 32
82	71	405
83	72(1)	473
84	72(2)	405

85	73(1) or (4)	203
86	73(1.1)(a)	203
87	74	68
88	76	68
89	77(1), (2) or (3)	68
90	77(4)	135
91	77(5)	68
92	78	68
93	80	135
94	81(1) or (2)	68
95	81(3)	135
96	82	135
97	83	68
98	84(2)	135
99	85(1), (3) or (4)	135
100	86	135
101	87	135
102	88(1)	135
103	89	270
104	90	68
105	91	68
106	92	68
107	94(3)	135
108	95(2), (3) or (4)	68
109	96(1) or (2)	68
110	97(1)	68
111	98(3)	68
112	99	68
113	100	68
114	101(1)	203
115	101(2)	135
116	102(1)	135
117	106	68
118	107(1)	135
119	108	135
120	109(1)	68
121	110(1)	135
122	111(1)	270
123	112(1)	338

Part 42
Regulation under the Traffic Safety Act

Vehicle Equipment Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Vehicle Equipment Regulation* (AR 122/2009) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	Specified Penalty in Dollars)
1	3	135
2	4(2) or (4)	68
3	6(1), (2), (4) or (5)	68
4	7(2), (3) or (4)	68
5	8(1) or (2)	68
6	9(2)	68
7	10(1)	68
8	10(2) or (3)	135
9	11(1) or (3)	68
10	13(1), (2), (3), (4), (5) or (6)	68
11	14(1), (2) or (3)	68
12	16(1)	135
13	16(2)	68
14	17(1)	68
15	18(1), (2), (3), (4), (5) or (6)	68
16	19(1), (2), (3), (4), (5) or (6)	68
17	20(1) or (2)	68
18	20(3)	135
19	21(3) or (4)	135
20	22	68
21	23(2), (3), (4), (5), (6), (8) or (9)	68
22	24(1) or (3)	203
23	25(2) or (6)	203
24	26(2), (3), (4) or (5)	203
25	27(1), (2), (3) or (4)	203
26	28(3)	203
27	29(2)	203
28	30(2)	203
29	31(1), (2) or (4)	203
30	32(3)	203
31	33(2)	203
32	34(1), (2), (3), (4), (5), (6), (8) or (9)	203
33	35(2)	203
34	36	68
35	37(1) or (2)	68
36	38(1), (2) or (4)	68
37	39(1), (2), (4), (5) or (6)	68
38	40(1), (2), (4), (5) or (6)	68
39	41	68

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40	42(2), (3), (4), (5), (6), (8), (9), (10) or (11)	68
41	43	68
42	44	68
43	45	135
44	46(1) or (2)	68
45	48(1), (2), (3), (4) or (6)	68
46	49	68
47	50(1) or (2)	135
48	51	135
49	52(2) or (3)	68
50	53(2) or (3)	135
51	54(1), (2), (3) or (4)	203
52	55(5)	203
53	56(1) or (2)	203
54	57(1) or (2)	203
55	59(1) or (2)	135
56	60	68
57	61(1), (2) or (3)	135
58	62(1), (2) or (3)	68
59	63	68
60	64(1), (2) or (3)	68
61	65(1) or (2)	405
62	66(2)	203
63	67(1) or (2)	68
64	68(1)	68
65	69	68
66	70(1), (2), (3), (4), (6) or (7)	68
67	71(2), (3), (4), (6), (7) or (9)	68
68	72(1), (2) or (3)	68
69	73	68
70	74(1), (2), (3) or (4)	68
71	75	270
72	76(1) or (2)	68
73	77	135
74	78	135
75	79(1)	68
76	79(2), (3) or (6)	135
77	82(1), (2), (3), (4), (5) or (6)	135
78	83(1) or (2)	135
79	88(4)	135
80	90(1), (6), (7), (8) or (9)	203
81	90(2) or (4)	203
82	91(3)	203
83	91(4)	203
84	92(1) or (2)	203

85	93	203
86	94	203
87	95	203
88	97(1), (3) or (4)	203
89	98(1), (2) or (3)	203
90	99(3)	203
91	100	203
92	101	135
93	102(2), (3) or (4)	203
94	105	270
95	106(1)	675
96	107(2)	135
97	108(1), (3) or (4)	135
98	109	135
99	110	135
100	111(1), (2) or (3)	81
101	112(1), (3), (4), (5) or (6)	81
102	112(7)	135
103	113(1)	135
104	113(2)	68
105	114(4)	203

**Part 43
Regulation under the
Traffic Safety Act**

Vehicle Inspection Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Vehicle Inspection Regulation* (AR 211/2006) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Regulation)	(Specified Penalty in Dollars)
1	7(1) or (2)	270
2	9	270
3	12(1)	270
4	13(a) or (b)	270
5	14(a) or (b)	270
6	15(1)	270
7	19(1)(a), (1)(b), (1)(c), (1)(d), (2)(a) or (2)(b)	270
8	20(1)(a), (1)(b), (1)(c) or (1)(d)	270
9	21(1) or (3)	270
10	24	270

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11	25(3)	270
12	26(1)	270
13	27(1), (2), (3), (5)(a), (5)(b), (5)(c), (5)(d), (6), (7)(a) or (7)(b)	270
14	28(1)(a), (1)(b), (1)(c), (1)(d), (1)(e) or (2)	270
15	29(1)(a), (1)(b), (1)(c), (2)(a) or (2)(b)	270
16	32(3)	270
17	33(6)	270
18	34(7)	270
19	39(1)	270
20	44(1), (2) or (3)	270
21	45(1) or (2)	270
22	46(1)	270
23	52(a), (b), (c) or (d)	270
24	55(3)	270
25	60	270
26	64(1)(a), (1)(b), (1)(c), (1)(d), (2)(a), (2)(b), (2)(c), (2)(d) or (2)(e)	270
27	78(2)	270
28	79(1), (2)(a) or (2)(b)	270
29	81(2)	270
30	82(5)	270
31	83(1) or (2)	270
32	84(1) or (4)	270

Part 44
Trespass to Premises Act

1(1) The specified penalty payable in respect of a contravention of section 3 of the *Trespass to Premises Act* is \$250.

(2) Where a person is charged with a 2nd or subsequent offence for the contravention of section 3 of the *Trespass to Premises Act* with respect to the same land, the person is required to appear before a justice without the alternative of making a voluntary payment.

Part 45
Wildlife Act

1 The specified penalty payable in respect of a contravention of a provision of the *Wildlife Act* shown in Column 1 is the amount shown in Column 2 in respect of that provision.

	Column 1	Column 2
Item Number	(Section Number of Act)	(Specified Penalty in Dollars)
1	5(2)	100
2	12(3)	100
3	15	100
4	16(2)	100
5	21(1)(a), (b) or (c)	100
6	26(1)	25
7	26(2)	25
8	33(1)(c)	150
9	33(1)(d)	100
10	34	25
11	38(2)	150
12	40(1)	100
		(for offences relating to items described in numbers 1 to 4 and 6 to 8 of Item 2 in the Schedule to the <i>Wildlife Act</i>)
13	40(3)	100
		(for offences relating to items described in number 1 of Item 3 in the Schedule to the <i>Wildlife Act</i>)
14	40(4),(6)	100
15	40(5)	50
16	44	100
17	45(1)(a) or (b)	100
18	50	50
19	51(1)(a) or (b)	100
20	52(1)	100
21	55(1) (with respect to birds, and under the circumstances, referred to in section 136(1)(d) of the <i>Wildlife Regulation</i>)	50
22	57(1)	25
23	59(1)	100
24	64(1)	100
25	67(1)	75
26	68(4)	25
27	69(4)	100
28	70(2)	100
29	80(2)	100

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30	81(4)(a)	100
31	81.1(4)	250
32	87	100
33	101(7)	100

2 Where a person commits an offence

- (a) under section 40(1) of the *Wildlife Act* relating to an item described in number 5 or 9 of Item 2 in the Schedule to that Act, or
- (b) under section 40(3) of the *Wildlife Act* relating to an item described in number 2 or 3 of Item 3 in the Schedule to that Act,

the person is required to appear before a justice without the alternative of making a voluntary payment.

**Part 46
Regulation under the Wildlife Act**

Wildlife Regulation

1 The specified penalty payable in respect of a contravention of a provision of the *Wildlife Regulation* (AR 143/97) shown in Column 1 is the amount shown in Column 2 in respect of that provision.

Item Number	Column 1 (Section Number of Regulation)	Column 2 Specified Penalty in Dollars)
1	98(1)	150
2	98(4), (6), (6.1) or (7)	250
3	99(3)	100
4	100	200
5	101	200
6	102	100
7	103.1	500
8	105(1)	50
9	105(2)	300
10	105(3)	100
11	106	100
12	113(1)	200
13	113(3)	150
14	114	75
15	115(1)	250
16	120(2)	75
17	121(1)(a) or (b)	100

18	122(1)	100
19	124(1)(a) or (b) or (2)	200
20	126(1)	250
21	126(1.1) or (1.2)	200
22	126(2)	100
23	127	50
24	128	50
25	129(1) or (2)	50
26	129(3)(a),(b),(c),(d) or (e)	50
27	129(3)(f) or (h)	100
28	129(3)(g)	25
29	130(2), (3) or (4)	100
30	130(2.01), (2.1), (3.1), (4.1) or (4.2)	100
31	132(1)	50
32	133	50
33	139	200
34	145(1), (2), (4) or (5)	100
35	146	50
36	147(1), (2) or (3)	50
37	148	100
38	149(c)	50
39	150	50

Alberta Regulation 64/2017

Climate Change and Emissions Management Act

SPECIFIED GAS EMITTERS AMENDMENT REGULATION

Filed: March 30, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 121/2017) on March 29, 2017 pursuant to section 60 of the Climate Change and Emissions Management Act.

1 The *Specified Gas Emitters Regulation (AR 139/2007)* is amended by this Regulation.

2 Section 1(1) is amended by adding the following after clause (p):

(p.1) “opted-in facility” means a facility designated as an opted-in facility under section 2.1(4);

3 Section 2 is repealed and the following is substituted:

Application

2 This Regulation applies to the following facilities:

- (a) a facility that has direct emissions totalling 100 000 tonnes or more in 2003 or any subsequent year;
- (b) an opted-in facility.

Opted-in facilities

2.1(1) In this section, “competitively-impacted facility” means a facility, other than a facility described in section 2(a), that competes directly with a facility described in section 2(a).

(2) A person responsible for a facility may apply to the director for the facility to be designated as an opted-in facility.

(3) An application under subsection (2) must

- (a) contain the information required by the director in the form and manner specified by the director, and
- (b) be received by the director on or before June 1, 2017.

(4) The director may designate a facility as an opted-in facility if

- (a) the application meets the requirements under subsection (3),
- (b) the director is satisfied the facility is a competitively-impacted facility, and
- (c) in the opinion of the director it is appropriate for the facility to be designated as an opted-in facility taking into consideration the circumstances that the director considers relevant, including, without limitation, whether or not any benefits have been or may be provided directly or indirectly in respect of the facility under an initiative of the Government of Alberta, or an agency of the Government of Alberta, that could alleviate the impact of the carbon levy in respect of the facility.

(5) The director shall notify the person responsible for a facility in writing of the director’s decision as to whether to designate the facility as an opted-in facility.

4 Section 15 is amended by adding the following before subsection (1):

Retention of records

15(0.1) The person responsible for an opted-in facility shall retain

- (a) a copy of the application for the facility to be designated as an opted-in facility, and
- (b) the records, information and data on which the application was based

for 7 years after the year in which the application was made.

5 Section 20 is amended

(a) in subsection (1) by adding “, other than an opted-in facility,” after “for a facility”;

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

(1.1) If the director has not established a baseline emissions intensity under section 22(2)(c) for an opted-in facility that is in its 4th or subsequent year of commercial operation in 2017, the person responsible for the opted-in facility shall apply for the establishment of a baseline emissions intensity for the facility on or before October 1, 2017.

6 Section 21 is amended

(a) in subsection (1) by striking out “for a facility that is an established facility on January 1, 2007” and substituting “for an established facility, other than an opted-in facility,”;

(b) in subsection (2) by adding “, other than an opted-in facility,” after “a new facility”;

(c) by adding the following after subsection (2):

(3) The baseline emissions intensity for an opted-in facility must be determined by one of the following methods:

- (a) by calculating the ratio of total annual emissions to production of the facility for 2015 as expressed in the following formula:

$$BEI = \frac{TAE_{2015}}{P_{2015}}$$

where

BEI is baseline emissions intensity;

TAE₂₀₁₅ is total annual emissions for 2015;

P₂₀₁₅ is production for 2015;

- (b) by an alternative method specified in writing by the director where the director determines that the method in clause (a) is not appropriate.

7 Section 22 is amended

(a) in subsection (1)

(i) **by adding** “, or on considering the establishment of a baseline emissions intensity for an opted-in facility without receiving an application for the establishment of a baseline emissions intensity,” **after** “a baseline emissions intensity”;

(ii) **in clause (d) by adding** “if applicable,” **before** “direct the applicant”;

(b) in subsection (2) by striking out “or” at the end of clause (a), adding “, or” at the end of clause (b) and adding the following after clause (b):

- (c) in the case of an opted-in facility, without receiving an application if the director considers it appropriate to do so.

8(1) The *Climate Leadership Regulation* (AR 175/2016) is amended by this section.

(2) Section 1(1)(gg) is repealed and the following is substituted:

(gg) “specified gas emitter” means a facility to which the *Specified Gas Emitters Regulation* applies, and for the purposes of section 11, a facility that becomes subject to the *Specified Gas Emitters Regulation* during a calendar year is deemed to be a specified gas emitter as of January 1 of that year;

(3) This section is deemed to have come into force on January 1, 2017.

Alberta Regulation 65/2017

Forest and Prairie Protection Act

FOREST AND PRAIRIE PROTECTION (MINISTERIAL) REGULATION

Filed: March 30, 2017

For information only: Made by the Minister of Agriculture and Forestry (M.O. 002/2017) on March 30, 2017 pursuant to section 42 of the Forest and Prairie Protection Act.

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Definitions

1(1) In this Regulation,

- (a) “burning operation” means the disposal of debris by burning;
- (b) “minerals” means minerals as defined in the *Mines and Minerals Act*;
- (c) “timber operation” means timber operation as defined in the *Timber Management Regulation* (AR 60/73).

(2) Terms defined in section 1 of the *Forest and Prairie Protection Regulation* and used in this Regulation apply to this Regulation.

Debris Disposal — New Construction

Debris disposal

2(1) Where land is cleared for the purpose of constructing any of the following, the person for whom the land is being cleared shall dispose of the debris in accordance with sections 3 to 5, or by another method or additional methods approved or required by the Minister:

- (a) pipelines;
- (b) oil and gas wells and tank storage;
- (c) road rights of way;
- (d) utility lines;
- (e) survey lines;
- (f) fence lines;
- (g) timber operations;
- (h) industrial camps;
- (i) telecommunications facilities;
- (j) sand and gravel pits, dams, bridges and water storage;
- (k) operations dealing with the recovery of minerals;
- (l) airstrips;
- (m) any building or structure;
- (n) any other land use determined by the Minister.

(2) Subject to subsection (3), debris must be disposed of before construction commences, but the disposal must occur within 12 months of clearing.

(3) Notwithstanding subsection (2), a forest officer may extend or reduce the time for disposal of debris.

Conduct of burning operations

3 A person in charge of a burning operation referred to in section 2 shall

- (a) conduct the burning operation when conditions are safe to do so,
- (b) before the burning operation takes place, place the debris in windrows or piles that do not exceed 60 metres in length and that are separated by an 8-metre break between each length,
- (c) subject to clause (d), locate and burn the windrows or piles no less than 15 metres from any uncleared areas,
- (d) if the cleared area is too small to comply with clause (c), locate and burn the windrows or piles in the centre of the cleared area, and
- (e) where debris has not been totally consumed by burning, dispose of the residue in one or more of the following locations with the approval of a forest officer:
 - (i) on well sites within a forest protection area, if the residue is compacted and buried in sump pits, a minimum of one metre of mineral soil is compacted over the residue and the natural ground contours are maintained;
 - (ii) on roads where deep fills are required in the grade, if the residue is compacted and buried and a minimum of one metre of mineral soil is compacted over the residue;
 - (iii) in natural openings or clearings adjacent to a right of way, if the residue is compacted and buried, a minimum of one metre of mineral soil is compacted over the residue and the natural ground contours are maintained.

Firefighting equipment

4 The person referred to in section 2 or the person in charge of a burning operation referred to in section 3 shall

- (a) have at the site of the burning operation
 - (i) sufficient firefighting equipment in working order, and
 - (ii) a sufficient number of persons to keep the fire under control at all times,

and

- (b) if required by a forest officer, supply such additional firefighting equipment and persons to be present during the burning operation as the forest officer considers necessary.

Fire under control

5 The person in charge of a burning operation referred to in section 3 shall keep the fire in the burning operation under control at all times.

Debris Disposal — General

Forest operations

6(1) The holder of a timber disposition shall

- (a) reduce fire hazards created as a result of debris from the holder's harvesting operation to a safe level by one or more of the following methods determined by the Minister:
 - (i) scarification with heavy equipment to a standard acceptable to the Minister, if the holder agrees to undertake reforestation;
 - (ii) skidding of tree lengths with limbs attached to roadsides or landings with subsequent limbing and the burning of all debris;
 - (iii) burning slash placed in windrows and piles in accordance with directions of the Minister;
 - (iv) broadcast burning in accordance with directions of the Minister;
 - (v) crushing by heavy machinery to a standard acceptable to the Minister;
 - (vi) limbing trees that are felled and scattering and making to lie flat on the ground the unused parts of the trees, including the limbs;
 - (vii) any other method determined by the Minister,

and

- (b) keep the area within 5 metres of the perimeter of the cut area clear of any accumulation of slash.

(2) The holder of the timber disposition shall comply with subsection (1) as soon as practicable, but no later than 12 months after the harvesting operation has been completed, unless otherwise authorized by the Minister.

Manufacturing facilities and mills

7 An owner or operator of an operation that manufactures timber products shall dispose of all debris produced in the course of the

operation by a burning operation or other method approved by the Minister.

Agriculture

8(1) A person who burns vegetation or debris resulting from land clearing or agricultural activities on farm land during the fire season

- (a) shall not burn the vegetation or debris in windrows or piles unless
 - (i) the windrows and piles are formed and located in accordance with subsection (2), and
 - (ii) the area containing the vegetation or debris to be burned is cleared of combustible material to a width of not less than 15 metres,
- (b) shall keep the burning operation under control at all times, and
- (c) shall have at the site of the burning operation
 - (i) sufficient firefighting equipment, and
 - (ii) a sufficient number of persons to control the burning operation.

(2) Windrows and piles must

- (a) not exceed 60 metres in length and must be separated by an 8-metre break between each length,
- (b) be no closer than 25 metres from any uncleared land or vegetation, and
- (c) in the case of windrows, be separated from other parallel windrows by not less than 15 metres.

Exploration

9(1) In this section,

- (a) “*Exploration Regulation*” means the *Exploration Regulation* (AR 284/2006);
- (b) “exploration” means exploration as defined in the *Exploration Regulation*;
- (c) “program licensee” means a program licensee as defined in the *Exploration Regulation*;

(d) “program permittee” means a program permittee as defined in the *Exploration Regulation*.

(2) When land is cleared for exploration, the program licensee or a program permittee, as the case may be, shall

- (a) limb and lie flat to the ground all felled trees on the land that is cleared,
- (b) place any debris in windrows that do not exceed 60 metres in length and that are separated by an 8-metre break between each length,
- (c) keep all windrows from coming into contact with standing timber, and
- (d) dispose of any debris no later than 12 months from the completion of line construction or as required by the Minister.

Firefighting

Duties of persons fighting fires

10 No person who is employed to fight a fire or required to assist in fighting a fire under section 13 of the Act shall

- (a) leave the site of the fire before it is extinguished or before that person is relieved from duty by a forest officer or the person in charge of the firefighting operation, or
- (b) in any way impede, obstruct or hinder the efforts of other persons extinguishing or controlling the fire.

Equipment requirements for industrial or commercial operations

11(1) For the purposes of section 24 of the Act, a person carrying on or having charge of an industrial or commercial operation in or within one kilometre of any public land shall

- (a) subject to subsection (2), keep all equipment listed in the Schedule in working order at the site of the operation, and
- (b) keep a sufficient supply of water at the site available for immediate use for firefighting purposes.

(2) Where heavy equipment such as bulldozers or water tankers is immediately available for firefighting use at the site of an operation, a forest officer may permit the person referred to in subsection (1) to have less than the minimum equipment provided for by the Schedule.

(3) Where the number of persons employed at a site exceeds 40, the minimum equipment for the purpose of subsection (1) is the amount listed in the Schedule for 31 to 40 persons plus any increase in equipment determined by the Minister.

(4) A person referred to in subsection (1) shall ensure that vehicles owned or operated by that person and used for travelling to and from the operation are equipped with a shovel, an axe and a container able to hold at least 5 litres of water.

Repeals

Repeals

12(1) The *Forest and Prairie Protection Regulations, Part II (AR 310/72)* are repealed.

(2) The *Forest Protection Payment Regulation (AR 46/2006)* is repealed.

Schedule

REQUIRED EQUIPMENT FOR FIRE CONTROL	PERSONS EMPLOYED AT THE SITE OF OPERATIONS									
	1	2	3	4	5	6-10	11-20	21-30	31-40	41+
Shovels	1	1	2	2	3	5	10	15	20	As provided in accordance with section 11(3) of the Regulation
Back pack with pump	1	1	1	2	3	5	10	15	20	
Axe or pulaski	1	1	1	1	2	5	10	15	20	
Fire pump	0	0	0	0	0	0	0	1	1	
Fire hose (metres)	0	0	0	0	0	0	0	450 metres	450 metres	
Power saw	0	0	0	0	0	0	0	1	1	