

Alberta Regulation 77/2017
Municipal Government Act
CENTRAL WASTE MANAGEMENT COMMISSION
DISESTABLISHMENT REGULATION

Filed: April 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 150/2017) on April 21, 2017 pursuant to section 602.4 of the Municipal Government Act.

Disestablishment

1 The Central Waste Management Commission is disestablished.

Winding-up

2(1) The assets of the former Central Waste Management Commission are transferred to Red Deer County.

(2) Red Deer County shall execute all documents and take all steps necessary to enforce subsection (1).

Assumption of debts, etc.

3(1) All debts and liabilities and all agreements incurred, held or entered into by the former Central Waste Management Commission with respect to the provision of solid waste management services are assumed by Red Deer County.

(2) Red Deer County shall execute all documents and take all steps necessary to enforce subsection (1).

Repeal

4 The *Central Waste Management Commission Regulation* (AR 161/2007) is repealed.

Alberta Regulation 78/2017

Safety Codes Act

PASSENGER ROPEWAYS AND PASSENGER CONVEYORS
STANDARDS AMENDMENT REGULATION

Filed: April 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 151/2017) on April 21, 2017 pursuant to section 65 of the Safety Codes Act.

1 The *Passenger Ropeways and Passenger Conveyors Standards Regulation (AR 190/2008)* is amended by this Regulation.

2 Section 2 is amended by striking out “CSA Standard Z98-07, Passenger Ropeways and Passenger Conveyors” **and substituting** “CSA Z98-14, Passenger ropeways and passenger conveyors, published in March 2014 by CSA Group, as amended from time to time.”.

3 Section 4 is amended by striking out “CSA Standard Z98-07, Passenger Ropeways and Passenger Conveyors” **and substituting** “CSA Z98-14, Passenger ropeways and passenger conveyors”.

4 Section 5 is amended by striking out “CSA Standard Z98-07, Passenger Ropeways and Passenger Conveyors” **and substituting** “CSA Z98-14, Passenger ropeways and passenger conveyors”.

5 This Regulation comes into force on June 1, 2017.

Alberta Regulation 79/2017

Child, Youth and Family Enhancement Act

**COURT RULES AND FORMS (EXPIRY DATE EXTENSION)
AMENDMENT REGULATION**

Filed: April 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 161/2017) on April 21, 2017 pursuant to section 131 of the Child, Youth and Family Enhancement Act.

1 The *Court Rules and Forms Regulation (AR 39/2002)* is amended by this Regulation.

2 Section 10 is amended by striking out “June 30, 2017” **and substituting** “June 30, 2018”.

Alberta Regulation 80/2017

Child, Youth and Family Enhancement Act

**EXPERT REVIEW PANEL (EXPIRY DATE EXTENSION)
AMENDMENT REGULATION**

Filed: April 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 162/2017) on April 21, 2017 pursuant to section 131 of the Child, Youth and Family Enhancement Act.

1 The *Expert Review Panel Regulation (AR 54/2012)* is amended by this Regulation.

2 Section 2 is amended by striking out “April 30, 2017” and substituting “June 30, 2018”.

Alberta Regulation 81/2017

Apprenticeship and Industry Training Act

**DESIGNATION OF OPTIONAL CERTIFICATION TRADE
AMENDMENT REGULATION**

Filed: April 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 165/2017) on April 21, 2017 pursuant to sections 22 and 57 of the Apprenticeship and Industry Training Act.

1 The *Designation of Optional Certification Trades Regulation (AR 203/2000)* is amended by this Regulation.

2 Section 1.2 is amended

(a) by repealing clauses (l) and (m) and substituting the following:

(l) instrument technician (now known as instrumentation and control technician);

(m) insulator (now known as insulator (heat and frost));

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

- (o) lather-interior systems mechanic (now known as lather (interior systems mechanic));

(c) by repealing clause (r) and substituting the following:

- (r) millwright (now known as industrial mechanic (millwright));

3 This Regulation comes into force on September 1, 2017.

Alberta Regulation 82/2017

Post-secondary Learning Act

**PUBLIC POST-SECONDARY INSTITUTIONS' TUITION
FEES (2017) AMENDMENT REGULATION**

Filed: April 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 166/2017) on April 21, 2017 pursuant to section 124 of the Post-secondary Learning Act.

1 The *Public Post-secondary Institutions' Tuition Fees Regulation* (AR 273/2006) is amended by this Regulation.

2 Section 8.1(1) is repealed and the following is substituted:

**Transitional — prohibition against raises for
2016-2017 and 2017-2018 academic years**

8.1(1) The tuition fees for any program administered by an institution either for the 2016-2017 or the 2017-2018 academic year may not be higher than those that were in effect for that program

- (a) in the 2014-2015 academic year,
- (b) in the academic year in which the program was established, if the program was established in the 2015-2016 or the 2016-2017 academic year, or
- (c) in the academic year in which the program, if previously suspended, was re-established, if it was re-established in the 2015-2016 or the 2016-2017 academic year.

Alberta Regulation 83/2017

Residential Tenancies Act

**RESIDENTIAL TENANCY DISPUTE RESOLUTION SERVICE
AMENDMENT REGULATION**

Filed: April 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 163/2017) on April 21, 2017 pursuant to section 54.7 of the Residential Tenancies Act.

1 The *Residential Tenancy Dispute Resolution Service Regulation (AR 98/2006)* is amended by this Regulation.

2 Section 6 is amended

- (a) **in subsection (1) by striking out** “a notice of application for hearing” **and substituting** “an application”;
- (b) **in subsection (2) by striking out** “A notice of application for hearing” **and substituting** “An application”;
- (c) **in subsection (3) by striking out** “a copy of the filed notice of application for hearing that shows” **and substituting** “a notice of hearing that shows”;
- (d) **in subsection (4) by striking out** “the filed notice of application for hearing” **and substituting** “the filed application and the notice of hearing”;
- (e) **in subsection (5) by striking out** “a notice to that effect with the Administrator” **and substituting** “a notice of withdrawal with the Dispute Resolution Service”;
- (f) **in subsection (6) by striking out** “When a person files a notice” **and substituting** “If, after serving a filed application and a notice of hearing on the other party, a person files a notice of withdrawal”;
- (g) **in subsection (7) by striking out** “the notice of the withdrawal of the application” **and substituting** “the notice of withdrawal”.

3 Section 7 is amended

- (a) **by striking out** “The Dispute Resolution Service” **and substituting** “A tenancy dispute officer”;

- (b) in clause (a) by striking out** “the notice of application for hearing” **and substituting** “the application”;
- (c) in clause (b) by striking out** “application fee has” **and substituting** “required fees have”;
- (d) by repealing clause (c) and substituting the following:**
 - (c) a court is the appropriate body to hear and decide the matter,

4 Section 17 is amended

- (a) in subsection (1)**
 - (i) by repealing clause (a)(ii) and substituting the following:**
 - (ii) an issue that, in the opinion of the tenancy dispute officer, a court is the appropriate body to hear and decide,
 - (ii) by repealing clause (b) and substituting the following:**
 - (b) the matter lies outside the jurisdiction of the Dispute Resolution Service.
- (b) by repealing subsection (3)(a) to (c) and substituting the following:**
 - (a) the record of any evidence in the form in which it was received;
 - (b) any money paid into the Dispute Resolution Service;
 - (c) any documents and materials in the possession of the Dispute Resolution Service.

5 Section 19 is amended

- (a) in subsection (2)(b) by striking out** “15 days” **and substituting** “30 days”;
- (b) by striking out subsection (3) and substituting the following:**
 - (3)** A request referred to in subsection (2)(b)

- (a) must, unless the Administrator directs otherwise, be decided by the tenancy dispute officer who granted the original order, and
- (b) may, unless the tenancy dispute officer orders that the other party be given notice, be made without notice to the other party.

6 The following is added after section 19:

Orders to vary or to set aside

19.1(1) A tenancy dispute officer may, by an order made in accordance with this section, set aside or vary an order of the tenancy dispute officer.

(2) A tenancy dispute officer may set aside or vary an order under this section

- (a) on the tenancy dispute officer's own initiative, or
- (b) at the request of a party.

(3) A request referred to in subsection (2)(b) must,

- (a) be made within 20 days after the earlier of
 - (i) the date on which the Dispute Resolution Service provided a copy of the original order to the requesting party in accordance with section 20, and
 - (ii) the date on which the original order first came to the requesting party's attention,

and

- (b) unless the Administrator directs otherwise, be decided by the tenancy dispute officer who granted the original order.

(4) A tenancy dispute officer may issue an interim order staying the order sought to be varied or set aside pending the tenancy dispute officer's determination under this section

- (a) on the tenancy dispute officer's own initiative, or
- (b) at the request of a party.

(5) A tenancy dispute officer may set aside or vary an order

- (a) if the order was made without notice to one or more parties,

- (b) if the order was made following a hearing at which a party did not appear because of an accident, a mistake or insufficient notice of the hearing, or
 - (c) on other grounds consistent with procedural fairness.
- (6) If a tenancy dispute officer issues an order to set aside under this section,
- (a) the Dispute Resolution Service shall issue a notice of rehearing of the application that shows the date, time and location of the rehearing, and
 - (b) except as otherwise directed by the tenancy dispute officer, the rehearing shall be held in accordance with this regulation in all respects as if it were an original hearing.
- (7) If a tenancy dispute officer issues an order under this section, a party may file a copy of that order with the Court of Queen's Bench, and on being filed,
- (a) the original order is
 - (i) stayed as the interim order under subsection (4) provides, or
 - (ii) set aside or varied as the order under subsection (5) provides,
- and
- (b) unless the Court of Queen's Bench orders otherwise, any execution or garnishee summons issued pursuant to the original order is stayed.

7 Section 20 is amended by striking out “and a copy of sections 21, 22, 23 and 26”.

8 Section 21 is repealed and the following is substituted:

Binding nature of order

21 An order of a tenancy dispute officer is binding on the parties to the dispute unless it is

- (a) set aside or varied by a tenancy dispute officer, or
- (b) set aside or varied on appeal.

9 Section 22 is repealed and the following is substituted:

Enforcement of order

22(1) An order made by a tenancy dispute officer may be filed with the Court of Queen's Bench and on being filed is enforceable in the same manner as an order of the Court of Queen's Bench.

(2) An order made by a tenancy dispute officer does not take effect until it is filed under subsection (1) and served.

10 Section 23(1) is repealed and the following is substituted:

Appeal

23(1) Any party who is subject to an order of a tenancy dispute officer may appeal the order on a question of law or of jurisdiction to the Court of Queen's Bench

- (a) within 30 days after the order is filed, by
 - (i) filing with the Court of Queen's Bench a notice of appeal setting out the grounds of appeal, and
 - (ii) serving a copy of the filed notice of appeal on
 - (A) the respondent,
 - (B) the Dispute Resolution Service, and
 - (C) any other person that the Court of Queen's Bench directs,

and

- (b) by filing with the Court of Queen's Bench not later than 7 days after the last day for service on those persons served pursuant to clause (a)(ii)
 - (i) an affidavit of service of the notice of appeal, and
 - (ii) a copy of a requisition to the Dispute Resolution Service for a transcript of evidence, together with
 - (A) a receipt for payment of the transcript at the expense of the appellant, or
 - (B) written confirmation from the Dispute Resolution Service that a transcript is not available.

11 Section 27 is amended by striking out “exhibits” and substituting “materials”.

12 Section 29 is repealed and the following is substituted:

Enforcement of judgment

29 A party to an appeal may have the judgment filed as a judgment of the Court of Queen’s Bench and may enforce the judgment in accordance with the procedure of the Court of Queen’s Bench.

13 Section 30 is repealed and the following is substituted:

Review before filing with clerk

30 For the purposes of section 54.4 of the Act, a clerk of a court shall ensure that

- (a) a landlord who files an application under the Act with the court for a remedy under Part 3 or 4 of the Act certifies that the landlord
 - (i) has not filed an application with the Dispute Resolution Service pertaining to the same matter,
 - (ii) has not been served with a notice of hearing, and is not aware of any filing of an application with the Dispute Resolution Service by the tenant, and
 - (iii) will immediately notify the clerk if the landlord is served with a notice of hearing, or becomes aware of any filing of an application with the Dispute Resolution Service by the tenant,

and

- (b) a tenant who files an application under the Act with the court for a remedy under Part 3 or 4 of the Act certifies that the tenant
 - (i) has not filed an application with the Dispute Resolution Service pertaining to the same matter,
 - (ii) has not been served with a notice of hearing, and is not aware of any filing of an application with the Dispute Resolution Service by the landlord, and
 - (iii) will immediately notify the clerk if the tenant is served with a notice of hearing, or becomes aware of any filing of an application by the landlord.

14 The heading to Part 4 is repealed and the following is substituted:

**Part 4
Coming into Force**

15 Section 35 is amended by striking out “April 30, 2017” and substituting “April 30, 2022”.

Alberta Regulation 84/2017

Local Authorities Election Act

**LOCAL AUTHORITIES ELECTION FORMS (EXPIRY DATE
EXTENSION) AMENDMENT REGULATION**

Filed: April 25, 2017

For information only: Made by the Minister of Municipal Affairs (M.O. MSL:017/17) on April 18, 2017 pursuant to section 159(2)(a) of the Local Authorities Election Act.

1 The *Local Authorities Election Forms Regulation* (AR 106/2007) is amended by this Regulation.

2 Section 3 is amended by striking out “October 31, 2017” and substituting “March 31, 2020”.

Alberta Regulation 85/2017

Child, Youth and Family Enhancement Act

**CHILD, YOUTH AND FAMILY ENHANCEMENT ACT REGULATIONS
(MINISTERIAL) AMENDMENT REGULATION**

Filed: April 25, 2017

For information only: Made by the Minister of Children’s Services (M.O. 2017-03) on April 21, 2017 pursuant to section 131(2) of the Child, Youth and Family Enhancement Act.

1 The *Adoption Regulation (AR 187/2004)* is amended in section 35 by striking out “June 30, 2017” and substituting “June 30, 2018”.

2 The *Child, Youth and Family Enhancement Regulation (AR 160/2004)* is amended in section 28 by striking out “June 30, 2017” and substituting “June 30, 2018”.

3 The *Residential Facilities Licensing Regulation (AR 161/2004)* is amended in section 33 by striking out “June 30, 2017” and substituting “June 30, 2018”.

Alberta Regulation 86/2017

Marketing of Agricultural Products Act

ALBERTA CHICKEN PRODUCERS MARKETING (EXPIRY DATE EXTENSION) AMENDMENT REGULATION

Filed: April 26, 2017

For information only: Made by the Alberta Chicken Producers on February 22, 2017 and approved by the Alberta Agricultural Products Marketing Council on February 27, 2017 pursuant to sections 26 and 27 of the Marketing of Agricultural Products Act.

1 The *Alberta Chicken Producers Marketing Regulation (AR 3/2000)* is amended by this Regulation.

2 Section 45 is amended by striking out “May 31, 2017” and substituting “May 31, 2018”.

Alberta Regulation 87/2017

Marketing of Agricultural Products Act

ALBERTA BARLEY COMMISSION AMENDMENT REGULATION

Filed: April 26, 2017

For information only: Made by the Alberta Barley Commission on January 30, 2017 and approved by the Alberta Agricultural Products Marketing Council on February 27, 2017 pursuant to section 26 of the Marketing of Agricultural Products Act.

1 The *Alberta Barley Commission Regulation* (AR 123/99) is amended by this Regulation.

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

(1.1) Commencing with the 2017 crop year, a producer who sells regulated product must pay to the Commission a service charge in the amount of \$1.20 per metric tonne or portion of a metric tonne of regulated product sold.

Alberta Regulation 88/2017

Marketing of Agricultural Products Act

ALBERTA WHEAT COMMISSION AMENDMENT REGULATION

Filed: April 26, 2017

For information only: Made by the Alberta Wheat Commission on February 1, 2017 and approved by the Alberta Agricultural Products Marketing Council on February 27, 2017 pursuant to section 26 of the Marketing of Agricultural Products Act.

1 The *Alberta Wheat Commission Regulation* (AR 137/2012) is amended by this Regulation.

2 Section 2 is amended by renumbering it as section 2(1) and by adding the following after subsection (1):

(2) Commencing with the 2017 fiscal year, any producer who sells any regulated product shall pay to the Commission a service charge in the amount of \$1.09 per metric tonne or portion of a metric tonne of regulated product sold.