

Alberta Regulation 101/2017
School Act
SCHOOL FEES AND COSTS REGULATION

Filed: June 5, 2017

For information only: Made by the Minister of Education (M.O. 036/2017) on June 5, 2017 pursuant to sections 39.1, 30 and 39 of the School Act, jointly with the Lieutenant Governor in Council.

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Definitions

- 1** In this Regulation,
 - (a) “board policies” means the policies referred to in section 5(1);
 - (b) “proposed fee schedule” means the fee schedule referred to in section 6;
 - (c) “reviewed board policies” means those policies as currently reviewed under section 7;
 - (d) “reviewed fee schedule” means that fee schedule as currently reviewed under section 7.

Charter schools exemptions

2 In accordance with an order in council made under section 36 of the Act, charter schools are exempt from the operation of sections 3, 4, 7(2), 10 and 11.

Charges for resources related to instruction

3(1) A board may charge a student's parent any fees or costs for resources related to instruction, subject to the prohibitions and restrictions contained in the Act and this Regulation.

(2) A board shall not charge any fees or costs for textbooks, workbooks or photocopying, printing or paper supplies.

Restrictions on fees and costs generally

4 A board shall not charge any fee or cost

- (a) that is not set out in the board's reviewed fee schedule,
- (b) that exceeds the amount set out in the board's reviewed fee schedule,
- (c) that exceeds the amount that the board estimates to be the projected cost of providing for the subject matter of the charge, or
- (d) that is not clearly expressed in the reviewed fee schedule to connect to specific goods or a specific service or learning experience that is calculated to benefit students.

Board policies on fees and costs

5(1) A board shall establish, maintain and implement policies respecting the fees and costs it proposes to charge.

(2) The board policies must include

- (a) a requirement to consult with parents before the board sets, increases or decreases any fee or cost,
- (b) a requirement to demonstrate to parents the need to charge any fee or cost, including the amounts,
- (c) the circumstances under which any fee or cost may be waived or refunded,
- (d) the process a parent has to follow to request that a fee or cost be waived or refunded,

- (e) a process designed to ensure that the staff of each school and the parents of students enrolled in that school are notified of the circumstances under which a fee or cost may be waived or refunded and of the procedures for requesting that a fee or cost be waived or refunded, as the case may be, and
- (f) with respect to fees and costs,
 - (i) processes designed to enable the resolution of disputes and concerns between parents and the board, and
 - (ii) any other requirements directed in writing by the Minister.

Fee schedule

6 A board shall establish a schedule of fees and costs, in the form, if any, required by the Minister, listing each type of fee or cost, with its amount, that may be charged in the following school year, with the corresponding type and amount of fee or cost contained in the currently reviewed fee schedule.

Submissions to the Minister

7(1) A board shall provide to the Minister, together with the budget that is to be submitted under section 147(2)(b) of the Act, copies of its board policies and proposed fee schedule for the Minister's review.

(2) If the proposed fee schedule includes any fee or cost

- (a) not set out in the board's currently reviewed fee schedule, or
- (b) that is proposed to be increased by an amount that exceeds 5% of the fee or cost set out in the board's currently reviewed fee schedule,

the new fee or cost or the increase in the fee or cost, as the case may be, shall not be charged unless approved in writing by the Minister.

(3) Subsection (2) does not apply with respect to any fee or cost

- (a) referred to in section 60(2)(h) of the Act, or
- (b) related to non-curricular travel.

Collection and use statement

8 A board shall provide to the Minister, annually before November 30, a statement, in the form, if any, required by the Minister, that

demonstrates that the fees and costs collected by it have been spent for the purposes for which they were collected.

Publication of reviewed policies and fee schedule

9 A board shall publish its reviewed board policies and reviewed fee schedule on its website or in such other written manner as the board considers will enable parents and the public to examine them fully.

New fees and costs and increases

10(1) In deciding under section 7(2) whether or not to approve a new fee or cost or an increase in a fee or cost, the Minister shall take into account

- (a) whether the board has demonstrated that it has complied with its applicable policies under section 5, and
- (b) whether the proposed new fee or cost or increase is reasonable and otherwise justified.

(2) Section 124(1.1) of the Act does not apply with respect to a new fee or cost or an increase in a fee schedule item that has been approved by the Minister under section 7(2).

Refund and sanctions for contraventions

11 If, in the opinion of the Minister, a board has contravened section 7(2), the Minister may direct the board to refund any overpayment in fees or costs that has been made and may, after considering all the relevant circumstances, impose upon the board whatever penalty or sanction the Minister considers appropriate and commensurate with the level of the contravention.

Transitional

12 In applying section 7(2) for the 2017–2018 school year, the reference to the board’s currently reviewed fee schedule is to be taken as a reference to the applicable fee or cost or its nearest equivalent charged in the 2016–2017 school year.

Expiry

13 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on August 31, 2019.

Coming into force

14 This Regulation comes into force on the commencement of *An Act to Reduce School Fees*.

Alberta Regulation 102/2017

School Act

SCHOOL TRANSPORTATION REGULATION

Filed: June 5, 2017

For information only: Made by the Minister of Education (M.O. 037/2017) on June 5, 2017 pursuant to sections 51, 39.1, 30 and 39 of the School Act, jointly with the Lieutenant Governor in Council.

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Definitions

1 In this Regulation,

- (a) “attendance area” means an attendance area established under section 13(2) of the Act;
- (b) “board policies” means the policies referred to in section 8(1);

- (c) “proposed fee schedule” means the transportation fee schedule referred to in section 9;
- (d) “reviewed board policies” means those policies as currently reviewed under section 10;
- (e) “reviewed fee schedule” means that fee schedule as currently reviewed under section 10;
- (f) “school” includes the site of the applicable school;
- (g) “transportation fee” means a fee referred to in section 6(1).

Charter schools exemptions

2 In accordance with an order in council made under section 36 of the Act, charter schools are exempt from the operation of sections 4, 5, 6(3), (4) and (5), 10(2), 13, 14 and 15(3).

Minimum distance from school

3 The distance from the school referred to in section 51(1)(a) of the Act is 2.4 kilometres or more.

Special education program outside attendance area

4 If a student is entitled to access to a special education program under section 47 of the Act but does not reside in the attendance area for any school that provides a special education program that is suitable for the student, the board of which the student is a resident student shall provide for the transportation of the student to and from the school that provides the special education program in which the board places the student.

Student residing outside areas

5(1) In this section, “transportation service area” means the area surrounding a school in which a board establishes school bus routes on which students may be transported to and from the school.

(2) If a student is enrolled in a school pursuant to section 45(3) of the Act but does not reside in the attendance area or the transportation service area for that school, the student or the parent of the student shall provide for the transportation of the student

- (a) to and from the school, or
- (b) to and from a designated stop on a school bus route in the transportation service area for that school.

(3) If a student or the parent of a student chooses to provide transportation in accordance with subsection (2)(b), the board that enrolled the student in the school shall provide for the transportation of the student between the school and the designated stop nearest to the student's residence on a school bus route in the transportation service area for that school.

(4) Subsection (3) does not apply unless there is a seat available for the student on the school bus after the students referred to in section 51(1) of the Act are accommodated on that school bus.

Transportation fees

6(1) Subject to this section, a board may charge fees payable by the parent of a student for transportation provided to the student by the board.

(2) A board shall not charge any transportation fee

- (a) that is not set out in the board's reviewed fee schedule, or
- (b) that exceeds the amount set out in the board's reviewed fee schedule.

(3) A board shall not charge any transportation fee

- (a) subject to subsection (5), in respect of transportation that a board is required to provide to a student
 - (i) by section 51(1) of the Act, or
 - (ii) by section 4 of this Regulation,

or

- (b) in respect of a student who falls within a group of students with disabilities whose transportation is provided for on a specific route only for students with disabilities who are unable, because of the severity of their disabilities, to use regular transportation services, as determined by the board.

(4) A student who is directed by the board, on account of that board's determination that the student's enrolment in schools in the attendance area in which the student resides would exceed their attendance capacity, to attend a school that is 2.4 kilometres or more away from the student's residence and in another attendance area, is to be treated for the purposes of this section as if that student were one to whom subsection (3)(a)(i) applied.

(5) If a board decides to meet its obligations to provide for transportation under section 51(1) of the Act and section 5 of this Regulation through the use of a municipal transit pass, the board shall ensure that the net cost of that pass to the student's parent does not exceed the difference between the actual cost of the pass and the funding rate for the transportation of that student under the *Education Grants Regulation* (AR 120/2008).

Transportation fee amount limitations

7(1) Subject to section 10(2), a transportation fee charged respecting the transportation of a student

- (a) who is eligible for funding under the *Education Grants Regulation* (AR 120/2008) must not exceed the average difference per student between
 - (i) the estimated costs to the board of transporting those students whose parent may be charged the transportation fee under section 6, and
 - (ii) the funding received by the board under the *Education Grants Regulation* (AR 120/2008) in respect of the transportation of those students,

and

- (b) who is not eligible for funding under the *Education Grants Regulation* (AR 120/2008) must not exceed the estimated average cost per student to the board for transporting those students whose parent may be charged the transportation fee under section 6.

(2) Subsection (1) does not apply to a transportation fee agreed to by the board and the parent of a student for the enhanced pick-up or drop-off location of the student.

(3) Any surplus from transportation fees charged under subsection (1) must be used to subsidize the cost of transportation of students referred to in that subsection in the 2 school years following the school year in which the surplus was collected.

Board policies on transportation fees

8(1) A board shall establish, maintain and implement policies respecting the transportation of students and the transportation fees it proposes to charge.

(2) The board policies must include

- (a) a requirement to demonstrate to parents the need to charge any transportation fee, including its amount,
- (b) the circumstances under which any transportation fee may be waived or refunded,
- (c) the process a parent has to follow to request that a transportation fee be waived or refunded,
- (d) a process designed to ensure that the staff of each school and the parents of students enrolled in that school are notified of the circumstances under which a transportation fee may be waived or refunded and of the procedures for requesting that a transportation fee be waived or refunded, as the case may be, and
- (e) with respect to the transportation of students and transportation fees,
 - (i) processes designed to enable the resolution of disputes and concerns between parents and the board, and
 - (ii) any other requirements directed in writing by the Minister.

Transportation fee schedule

9 A board shall establish a schedule of transportation fees, in the form, if any, required by the Minister, listing each type of transportation fee, with its amount, that may be charged in the following school year, with the corresponding type and amount of transportation fee contained in the current reviewed fee schedule.

Submissions to the Minister

10(1) A board shall provide to the Minister, together with the budget that is to be submitted under section 147(2)(b) of the Act, copies of its board policies and proposed fee schedule for the Minister's review.

(2) If the proposed fee schedule includes any fee

- (a) not set out in the board's currently reviewed fee schedule, or
- (b) that is proposed to be increased by an amount that exceeds 5% of the fee set out in the board's currently reviewed fee schedule,

the new fee or the increase in the fee, as the case may be, shall not be charged unless approved in writing by the Minister.

Collection and use statement

11 A board shall provide to the Minister, annually before November 30, a statement, in the form, if any, required by the Minister, that demonstrates that the transportation fees collected by it have been spent for the purposes for which they were collected.

**Publication of reviewed policies
and approved fee schedule**

12 A board shall publish its reviewed board policies and reviewed fee schedule on its website or in such other written manner as the board considers will enable parents and the public to examine them fully.

New fees and increases

13(1) In deciding under section 10(2) whether or not to approve a new fee or an increase in a fee, the Minister shall take into account

- (a) whether the board has demonstrated that it has complied with its applicable policies under section 8, and
- (b) whether the proposed new fee or increase is reasonable and otherwise justified.

(2) Section 124(1.1) of the Act does not apply with respect to a new fee or increase in a transportation fee schedule item that has been approved by the Minister under section 10(2).

Refund and sanctions for contraventions

14 If, in the opinion of the Minister, a board has contravened section 10(2), the Minister may direct the board to refund any overpayment in fees that has been made and may, after considering all the relevant circumstances, impose upon the board whatever penalty or sanction the Minister considers appropriate and commensurate with the level of the alleged contravention.

**Early childhood services charges
to child under 6**

15(1) In this section,

- (a) “board” means a board that, and to the extent that it, provides an early childhood services program to children;
- (b) “child” means a child referred to in section 30(2.1) of the Act.

(2) Subject to this section, a board may charge fees for transportation in the amounts set by that board to a child's parent.

(3) A board may not charge a fee for the transportation of a child who is eligible for transportation funding under the *Education Grants Regulation* (AR 120/2008).

(4) A fee charged for the transportation of a child who is not eligible for transportation funding under the *Education Grants Regulation* (AR 120/2008) must not exceed the amount estimated by the board to be the average cost to the board per child for transporting all children who are not so eligible.

(5) Subsections (3) and (4) do not apply to a fee agreed to by the board and the parent of a child for the enhanced pick-up or drop-off location of the child.

(6) Any surplus from transportation fees charged under subsection (4) must be used by the board to subsidize the cost of transportation of children referred to in that subsection in the 2 school years following the school year in which the surplus was collected.

(7) Subject to section 2, sections 6(2), 8 to 14 and 16 apply with respect to a board and children, but otherwise this Regulation does not apply.

Transitional

16 In applying section 10(2) for the 2017–2018 school year, the reference to the currently reviewed fee schedule is to be taken as a reference to the applicable fee or its nearest equivalent charged in the 2016–2017 school year.

Repeal

17 The *Student Transportation Regulation* (AR 250/98) is repealed.

Coming into force

18 This Regulation comes into force on the commencement of *An Act to Reduce School Fees*.

Alberta Regulation 103/2017

Insurance Act

**TRANSITIONAL (INSURANCE AMENDMENT ACT,
2008 — PART 5) AMENDMENT REGULATION**

Filed: June 6, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 195/2017) on June 6, 2017 pursuant to section 750 of the Insurance Act.

1 The *Transitional (Insurance Amendment Act, 2008 — Part 5) Regulation (AR 185/2011)* is amended by this Regulation.

2 Section 4 is repealed.

Alberta Regulation 104/2017

Family and Community Support Services Act

**FAMILY AND COMMUNITY SUPPORT SERVICES
AMENDMENT REGULATION**

Filed: June 6, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 197/2017) on June 6, 2017 pursuant to section 7 of the Family and Community Support Services Act.

1 The *Family and Community Support Services Regulation (AR 218/94)* is amended by this Regulation.

2 Sections 6.1(b) and 6.2(b) are amended by striking out “Canadian Institute of Chartered Accountants” and substituting “Chartered Professional Accountants of Canada”.

3 Section 13 is amended by striking out “June 30, 2017” and substituting “June 30, 2022”.

Alberta Regulation 105/2017
Oil and Gas Conservation Act
ORPHAN FUND DELEGATED ADMINISTRATION
AMENDMENT REGULATION

Filed: June 7, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 198/2017) on June 7, 2017 pursuant to section 77 of the Oil and Gas Conservation Act.

1 The *Orphan Fund Delegated Administration Regulation (AR 45/2001)* is amended by this Regulation.

2 Section 4 is repealed and the following is substituted:

Agreements

4(1) The Association may enter into agreements with the Regulator, the Crown in right of Alberta, the Crown in right of Canada or any person for any reason related to exercising and carrying out its delegated powers, duties and functions.

(2) For greater certainty, the agreements referred to in subsection (1) may include loan or other borrowing agreements entered into for the purposes of carrying out the Association's delegated powers, duties and functions.

3 Section 11 is amended by striking out "April 1, 2019" and substituting "April 1, 2021".

Alberta Regulation 106/2017

Agricultural Operation Practices Act
AGRICULTURAL OPERATION PRACTICES ACT
ADMINISTRATIVE PROCEDURES REGULATION

Filed: June 13, 2017

For information only: Made by the Natural Resources Conservation Board on June 13, 2017 pursuant to section 44(3) of the Agricultural Operation Practices Act.

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Interpretation

1(1) In this Regulation,

- (a) “Act” means the *Agricultural Operation Practices Act*;
- (b) “Board” means the chair of the Board and members appointed under the *Natural Resources Conservation Board Act*, or a panel of members designated by the chair;
- (c) “Crown” means Her Majesty the Queen in right of Alberta;
- (d) “document” includes films, photographs, charts, maps, graphs, plans, surveys, books of account, transcripts and video and audio recordings;
- (e) “electronic hearing” means a hearing conducted by conference telephone call or other electronic means where each participant is able to hear and respond to the comments of the other participants at the time the comments are made;
- (f) “hearing” means a process conducted by the Board to decide any matter relating to a review, other than whether to grant a request or application for review;
- (g) “land surveyor” means an Alberta land surveyor as defined in the *Land Surveyors Act*;
- (h) “NRCB” means either the Board, or an approval officer or inspector, as appropriate;
- (i) “oral hearing” means a hearing at which the participants attend in person before the Board;
- (j) “permit” means either an approval, registration or authorization or an amendment to an approval, registration or authorization under the Act;
- (k) “professional engineer” means a professional engineer under the *Engineering and Geoscience Professions Act*;
- (l) “representative” means the agent or solicitor of a person;

(m) “written hearing” means a hearing held by means of an exchange of documents whether in physical or electronic form.

(2) In this Regulation a reference to an application for an approval, registration or authorization includes an application for an amendment of an approval, registration or authorization.

Part 1 Permit Applications

Approval, registration application

2(1) An application for an approval or for a registration must be made in 2 parts and filed with and in a form satisfactory to an approval officer.

(2) Unless otherwise authorized by an approval officer, Part 1 of an application for an approval or registration must contain the following:

- (a) the name, address and telephone number and the fax number and e-mail address, if any, of the applicant;
- (b) the numbers, category and type of livestock that will be at the confined feeding operation;
- (c) the legal description of the land on which the confined feeding operation is located;
- (d) any other information required by an approval officer.

(3) Part 2 of an application for an approval or registration must be filed within 6 months of the filing of Part of 1 of the application and unless otherwise authorized by an approval officer, must contain the following:

- (a) construction plans for one or more of the following:
 - (i) manure storage facilities;
 - (ii) manure collection areas;
 - (iii) surface water control systems;
- (b) hydrogeological assessments as required by an approval officer;
- (c) a soils investigation as required by an approval officer;
- (d) a site plan showing the location of all

- (i) water bodies,
- (ii) water wells,
- (iii) property lines,
- (iv) barns, corrals and pens,
- (v) manure storage facilities and manure collection areas,
and
- (vi) surface water control systems, if required by an
approval officer;
- (e) an area plan to scale showing
 - (i) legal land locations of the proposed development and
immediately surrounding properties,
 - (ii) roadways,
 - (iii) property lines,
 - (iv) distances between the confined feeding operation and
neighbouring residences,
 - (v) water courses and common bodies of water,
 - (vi) springs, and
 - (vii) runoff patterns;
- (f) the legal description of the land where manure, composting
materials and compost are to be applied during the first year
of operation after the granting of the permit;
- (g) a timeline for the commencement and completion of
construction for all facilities included in the application.

(4) An approval officer may require that documents filed under subsection (3) be prepared by a professional engineer, a land surveyor or a member of another appropriate profession and may, if applicable, require that the documents be stamped.

(5) An approval officer may extend the time for filing Part 2 of an application on the written request of an applicant, but in no event may the time be extended beyond one year from the filing of Part 1 of the application.

Authorization application

- 3(1)** An application for an authorization must be filed with and in a form satisfactory to an approval officer.
- (2)** An approval officer may require an application referred to in subsection (1) to contain any or all of the information and documents referred to in section 2(2) and (3).
- (3)** An approval officer may require that documents filed under section 2(3) be prepared by a professional engineer, a land surveyor or a member of another appropriate profession and may, if applicable, require that the documents be stamped.
- (4)** For the purposes of this section, the reference in section 2(2)(b) and (c) to a confined feeding operation is to be read as a reference to a manure storage facility or manure collection area.

Additional information

- 4(1)** An approval officer may require a permit applicant to provide any additional information that the approval officer considers necessary to assess whether the applicable requirements under the Act will be met.
- (2)** If, in the opinion of an approval officer, a permit applicant fails to provide additional information under this section, the approval officer must give notice to the applicant stating the information that is required.
- (3)** If the permit applicant fails to provide the required information within 6 months of the approval officer's notice, the approval officer may deny the application in accordance with section 18(3) of the Act.

Notice of application

- 5** A notice of a permit application if required under Part 2 of the Act must
- (a) describe the subject-matter of the application and state the name of the applicant,
 - (b) state the time and place at which
 - (i) affected persons may file submissions concerning the application,
 - (ii) in the case of an application for an approval, persons may file applications for directly affected party status, and

- (iii) in the case of an application for a registration, affected persons may file applications for directly affected party status,
- (c) state where and when the copies of the application and the information filed in support of the application will be available at a location open to the public, and
- (d) state any other particulars an approval officer requests.

Withdrawal of application

6(1) If a permit applicant wishes to withdraw an application before the approval officer decides whether to issue the requested permit, the applicant must file a written notice of withdrawal of application with an approval officer.

(2) Upon receipt of the notice under subsection (1), the approval officer must give notice of the withdrawal to the directly affected parties and to any other parties who submitted a response to the notice of application.

Copy of permit application

7 Until the latest date for making an application under section 19(4) of the Act in the case of an approval or under section 21(3) of the Act in the case of a registration, an approval officer must supply a copy of the application, including materials filed in support of the application, to any affected person requesting them.

Application for directly affected party status and submission by directly affected party

8(1) An application for directly affected party status under section 19(4) or 21(3)(a) of the Act must

- (a) be filed in writing with an approval officer, and
- (b) contain an explanation of how the party may be directly affected by a decision of an approval officer.

(2) Submissions under sections 20(1)(b)(iii) and 21(3)(b) of the Act must

- (a) be filed in writing with an approval officer, and
- (b) contain a statement indicating
 - (i) whether the party supports or opposes the permit application, and

- (ii) the reasons for the party's position in subclause (i), including any relevant facts and scientific judgments and any supporting evidence including scientific publications or raw data.

(3) Applications and submissions under subsections (1) and (2) must also include the name, address in Alberta and telephone number and the fax number and e-mail address, if any, of the person making the application or submission or of the person's representative.

(4) An approval officer may allow a person to amend or add to a statement filed by the person under this section.

Approval officer amendment

9 Before amending a permit under section 23 of the Act, an approval officer must provide the holder of the permit with

- (a) a clear and concise statement of reasons for the amendment being considered,
- (b) a copy of any evidence or information that the approval officer has considered, and
- (c) a description of the amendment being considered.

Change of ownership

10(1) When a person buys, receives assignment of or otherwise acquires a permit, the person must provide the NRCB with the following:

- (a) the legal description of the land that is the subject of the permit;
- (b) the permit number, if any;
- (c) the person's address and telephone number;
- (d) if more than one person buys, receives assignment of or otherwise acquires the permit, details of the ownership relationship respecting the permit;
- (e) the type of confined feeding operation, the capacity of the operation claimed by the person, and the type and category of livestock kept at the confined feeding operation or the type of manure storage facility.

(2) A notification filed under subsection (1) does not confirm or require that the NRCB confirm the existence, nature or capacity of the

agricultural operation identified, nor does it establish any new permit rights to operate a confined feeding operation or manure storage facility, if those rights did not exist prior to the notification.

Deemed permit

11(1) At the request of an owner or operator for a determination related to a deemed permit under section 18.1 of the Act, or in response to a complaint where a determination of the terms or conditions or existence of a deemed permit is required, an inspector shall conduct an investigation to determine the capacity of a confined feeding operation or manure storage facility

- (a) that was in place on January 1, 2002, or
- (b) that was constructed pursuant to a development permit issued before January 1, 2002.

(2) Prior to making a deemed permit determination under subsection (1)(a), the inspector shall provide notice to those parties who would be entitled to notice under section 19(1) or 21(1) of the Act for a new manure storage facility or confined feeding operation with the same capacity.

(3) An approval officer may waive the notice for indoor confined feeding operations if the inspector finds that the livestock type and the capacity of the structures can be reliably determined by viewing historical aerial photographs and owner or operator records.

(4) A notice of a deemed permit determination must

- (a) describe the subject-matter of the inspector's investigation and the name and location of the manure storage facility or confined feeding operation,
- (b) state the time and place at which
 - (i) affected persons may file submissions concerning the investigation, and
 - (ii) persons may file applications for directly affected party status,
- (c) state where and when the copies of the information filed in support of the deemed permit will be available at a location open to the public, and
- (d) state any other particulars an inspector determines appropriate.

(5) After considering any submissions and completing the investigation, the inspector shall issue a decision report including reasons for the decision on

- (a) whether affected parties that made a submission under subsection (4) are directly affected parties,
- (b) whether a deemed permit exists, and
- (c) any other terms or conditions included in the deemed permit.

(6) A decision under subsection (5) will be provided to the permit holder and any other parties who filed a submission under subsection (4).

(7) A directly affected party may, within 10 working days of receipt of the decision under subsection (6), request a Board review in accordance with section 13.

(8) A party who made a submission under subsection (4) and who was determined by the inspector not to be directly affected may, within 10 working days of receipt of the decision under subsection (6), request a Board review of the directly affected party determination in accordance with section 14 and of the inspector's permit decision in accordance with section 13.

Cancellation of permit

12(1) An approval officer who has been delegated under section 12 of the Act with the power to cancel a permit may cancel a permit

- (a) pursuant to section 29(1)(a) or (a.1) of the Act, without notice to any party, or
- (b) pursuant to section 29(1)(b) of the Act, following notice to the permit holder.

(2) A notice under subsection (1)(b) must state

- (a) why, in the approval officer's opinion, the confined feeding operation, manure storage facility or manure collection area is considered abandoned and of any terms or conditions included in the cancellation,
- (b) that the permit holder may file a statement of intent to object to the cancellation or to any terms or conditions included in the cancellation within 30 days of the date of the notice, and
- (c) that, if the permit holder files a statement under clause (b), the permit holder shall have a further 30 days to file a

submission setting out the reasons why the permit should not be cancelled or with respect to the terms and conditions imposed.

(3) If the permit holder files a submission under subsection (2)(c), the approval officer shall provide affected parties with a copy of the submission and the notice issued under subsection (1)(b) and advise them that they have 20 days to make submissions on how they may be directly affected should the permit continue in effect and the reasons why they support the cancellation.

(4) An affected party under subsection (3) is a party who would be entitled to notice under section 19(1) or 21(1) of the Act respecting an application for a new manure storage facility or confined feeding operation with the same capacity as the abandoned facility.

(5) After considering any submissions provided under subsections (2) and (3), the approval officer shall issue a decision, including reasons for the decision,

- (a) on whether affected parties that made a submission under subsection (3) are directly affected parties,
- (b) on whether to cancel the permit, and
- (c) as to any included terms or conditions.

(6) The approval officer shall provide a decision under subsection (5) to the permit holder and any other parties who filed a submission under subsection (3).

(7) A directly affected party may, within 10 working days of receipt of the decision under subsection (6), request a Board review in accordance with section 13.

(8) A party who made a submission under subsection (3) and that was determined not to be directly affected by the approval officer may, within 10 working days of receipt of the decision under subsection (6), request a board review of the directly affected determination and of the permit cancellation decision.

Part 2 Board Reviews

Application or request for Board review

13(1) An application or a request for a Board review under section 20(5), 22(4), 23(3), 41(1) or 42.2(3) of the Act or arising under section 11 or 12 must be filed with the Board in writing and contain the following:

- (a) a clear and concise statement of the facts relevant to the application or request;
- (b) the grounds on which the application or request is made;
- (c) in the case of a review of a permit decision or of an enforcement order, a brief explanation of the harm that has resulted or will result from the decision or order addressed in the application or request;
- (d) in the case of a review of the amount of recoverable costs associated with an emergency order, a brief explanation of the issues that the owner or operator wants the Board to consider in its review;
- (e) a brief description of the remedy sought;
- (f) the name, address in Alberta and telephone number and the fax number and e-mail address, if any, of the applicant for review or the applicant's representative.

(2) On receipt of an application or a request for review of a permit decision, the Board must give notice of the application or request to the directly affected parties.

(3) On receipt of an application or a request for review of an enforcement order under section 41(1) of the Act or of a review of costs related to an emergency order under section 42.2(3) of the Act, the Board must give notice of the request or application to all persons to whom the order is directed other than the person who has requested or applied for the review.

(4) A directly affected party who receives a notice of an application or a request for review under subsection (3), and who has an adverse interest with respect to the application or request for review, may file a response with the Board with respect to the matters raised in the application or request for review in accordance with any directions provided by the Board.

(5) On considering an application or a request for review, the Board may have regard for publicly available information collected by the approval officer or inspector whose decision is the subject of the application or request.

Application or request for review of directly affected party determination

14(1) An application or a request under section 20(6) or 22(5) of the Act for the Board's review of an approval officer's decision under section 19(7) or 21(5) of the Act as to whether a person is a directly affected party must be filed with the Board within 10 working days of

the date the person received the approval officer's written decision on the permit application.

(2) An application or a request under subsection (1) must be in writing and include a statement indicating how the applicant may be directly affected by the decision of the approval officer.

(3) All applications or requests for a review of directly affected status determination should be filed concurrently with the application or request for Board review under section 13.

Deadline for filing an application or a request for Board review

15(1) An application under section 20(5), 22(4) or 23(3) of the Act for review of an approval officer's permit decision must be filed with the Board within 10 working days of the date the person received the approval officer's written decision.

(2) A request under section 41(1) of the Act for review of an enforcement order must be filed with the Board within 10 working days of the date the person received the enforcement order or such longer period specified by the inspector in the enforcement order.

(3) An application under section 42.2(3) of the Act to review costs recoverable by the Board under section 42.2(2) of the Act must be filed with the Board within 30 calendar days of the date the person received notice of the Board costs.

Notice of Board hearing

16(1) If the Board decides to conduct a hearing, the Board must provide notice of its decision to conduct the hearing to the directly affected parties.

(2) A notice under subsection (1) must

- (a) briefly describe the subject-matter of the hearing,
- (b) state the process by which the Board will conduct the hearing,
- (c) if the hearing relates to an approval, state the location where the information filed with respect to the hearing may be viewed by the public,
- (d) state the name and location of the agricultural operation being reviewed,

- (e) if considered appropriate by the Board, state the time and place for the filing of written submissions related to the hearing,
- (f) state the date, commencement time and location for the hearing, and
- (g) state any other particulars that the Board sees fit.

Notice to attend hearing

17(1) The Board may, on its own initiative or at the request of a party, issue a notice requiring a person to attend an oral hearing or an electronic hearing as a witness and to produce the documents and material set out in the notice.

(2) The provisions of the *Alberta Rules of Court* (AR 124/2010) relating to the payment of allowances to witnesses apply to oral hearings and electronic hearings.

(3) Despite subsection (2), the Board may increase the amount payable to an expert witness or in special circumstances where a witness attends an oral hearing or an electronic hearing as a result of a notice to attend.

Evidence

18(1) A written submission for a hearing must be filed with the Board by the date set out in the hearing notice and must include the following:

- (a) the name, mailing address in Alberta, telephone number and e-mail address of the party filing the submission or of that party's representative;
- (b) all of the documentary evidence that the party wants the Board to consider in the hearing;
- (c) the reasons why the party believes the Board should decide in the manner advocated by the party;
- (d) any other information required by the Board.

(2) If the Board has scheduled an oral hearing, a party's written submission provided under subsection (1) above must also include

- (a) an identification of all witnesses the party intends to present at the oral hearing,

- (b) in the case of non-technical testimony, a written summary of each witness's oral hearing testimony, and
 - (c) all technical or expert evidence, including a written summary of each witness's testimony.
- (3)** A written submission must be signed by the party presenting it or by the party's authorized representative.
- (4)** A written or oral submission that includes technical evidence must state the qualifications of the person taking responsibility for the evidence or under whose direction or control the evidence was prepared.
- (5)** For purposes of this section, a requirement to file a document includes providing a copy to all other parties by the filing deadline.
- (6)** If a party is not able to file all of its documentary evidence by the filing deadline stated in the hearing notice, the party must
- (a) by the filing deadline set out in the hearing notice, file all the documentary evidence that is available on that date, and
 - (b) seek leave from the Board to file documentary evidence after the filing deadline set out in the hearing notice by filing a statement
 - (i) identifying the balance of the documentary evidence to be filed,
 - (ii) stating the party's reasons why it could not file all of its documentary evidence by the filing deadline, and
 - (iii) stating when the balance of the documentary evidence will be filed.
- (7)** At an oral hearing
- (a) each party who filed a written submission prior to the oral hearing must make available a witness or witnesses who prepared, supervised or participated substantially in the preparation of the factual or technical elements of the party's written submission, in order to respond to questions from other parties and the Board,
 - (b) unless the Board otherwise directs, direct testimony shall be confined to matters adequately set out in the written submission and must be presented by a witness identified in subsection (2)(a), and

- (c) a party entering a document as an exhibit must provide copies of the document to the Board, the staff assisting the Board, the approval officer or inspector attending the oral hearing and each of the directly affected parties participating in the oral hearing.

Direct evidence

19(1) In a hearing, the Board shall not receive evidence unless

- (a) it relates to the issues that the Board has decided to consider in the hearing, or
- (b) it arises from evidence presented in cross-examination.

(2) The Board may hear argument based on evidence before the Board or facts of which the Board can reasonably take judicial notice.

(3) During a recess of an oral hearing or electronic hearing, a witness who is under cross-examination may consult with the witness's counsel only as necessary to respond to the undertakings made before the Board.

Public access to hearings

20(1) Subject to subsections (2) and (3), all oral hearings and electronic hearings are open to the public and all submissions in written hearings are accessible by the public.

(2) If, in the Board's opinion, the need to protect the confidentiality of intimate personal, financial, commercial or other matters outweighs the desirability of an open hearing, the Board may conduct all or part of the hearing in private.

(3) If all or any part of an oral hearing or an electronic hearing is to be held in private, no party may attend the hearing unless the party files an undertaking stating that the party will hold in confidence any evidence heard in private.

Experts assisting the Board

21(1) If, in the opinion of the Board, it is necessary for the parties to be made aware of the views of NRCB staff assisting the Board or of an expert hired by the Board, a written submission by a NRCB staff member or the expert may be filed or presented at a hearing in accordance with the provisions applicable to submissions of the parties.

(2) The NRCB staff member or expert who has been hired by the Board and whose written submission has been filed and presented at a

hearing or other proceeding may be examined by the Board and the approval officer or inspector, and may be cross-examined by or on behalf of the other parties.

Oath or affirmation

22 Unless the Board otherwise directs, a witness at an oral hearing or an electronic hearing must be examined orally on oath or affirmation.

Examination of witness

23(1) No cross-examination of a witness is permitted other than cross-examination by or on behalf of a directly affected party.

(2) A witness may be examined by the Board, by experts or NRCB staff assisting the Board, and by or on behalf of the approval officer or inspector or by representatives of any of them.

Written hearings

24(1) If the Board holds a written hearing, it may

- (a) dispose of the hearing on the basis of the documents filed by the parties, or
- (b) require additional information and material from the parties before concluding the hearing.

(2) The Board may determine at any time during a written hearing that the hearing must be conducted by means of an oral hearing or an electronic hearing.

Confidentiality of evidence

25(1) Subject to this section, all documents filed in respect of a hearing become part of the record of the hearing and may be made available to the public.

(2) If a person wishes to keep confidential any information in a document submitted to the Board, the person may, before filing the document, file a request for confidentiality.

(3) The request for confidentiality must

- (a) be in writing,
- (b) briefly describe
 - (i) the nature of the information in the document, and

- (ii) the reasons for the request, including the specific harm that would result if the document was available to the public,

and

- (c) indicate whether all or only a part of the document is the subject of the request.

(4) The Board may, with or without a hearing, grant a request for confidentiality on any terms it considers appropriate

- (a) if the Board is of the opinion that disclosure of the information could reasonably be expected
 - (i) to result in undue financial loss or gain to a person directly affected by the proceeding, or
 - (ii) to harm significantly that person's competitive position,

or

- (b) if
 - (i) the information is personal, financial, commercial, scientific or technical in nature,
 - (ii) the information has been consistently treated as confidential by a person directly affected by the proceeding, and
 - (iii) the NRCB considers that the person's interest in confidentiality outweighs the public interest in the disclosure of the proceeding.

(5) If the Board grants a request for confidentiality under subsection (4), the Board may allow a party to receive a copy of the document if the party files an undertaking stating that the party will hold the document in confidence and use it only for the purpose of the hearing.

(6) Nothing in this section limits the operation of any statutory provision that protects the confidentiality of information or documents.

(7) The NRCB shall not release a report of an inspection pursuant to section 30 of the Act unless an enforcement order, arising from the report, is issued by an inspector, and a person to whom the enforcement order is directed requests a copy of the report.

On-site visit

26 Pursuant to section 24 of the Act, the Board may, in its discretion and in any manner it chooses, conduct an on-site visit to assess any matter relevant to the disposition of the Board's hearing.

Board directions

27 At any time before the disposition of an application or a request for review or of a hearing, the Board may, on its own initiative or on the request of a party, issue any directions that it considers necessary for the proper consideration and disposition of any issue, including directions

- (a) that some or all of the documents and other matters that were provided to an approval officer under section 2, 3 or 4 be filed with the Board,
- (b) that documents be prepared by a professional engineer, a land surveyor or a member of another appropriate profession and that the documents be stamped,
- (c) that any evidence or argument be amended or struck if, in the opinion of the Board, the evidence or argument is irrelevant or may tend to prejudice, embarrass or delay a fair decision, on the merits, of a proceeding, or
- (d) that, on any conditions it considers proper, enlarge or abridge the time periods set out in this Regulation.

Revisions to document

28(1) Despite any other provision in this Regulation, the Board may, on any terms it considers appropriate,

- (a) allow a revision of all or any part of a document, or
- (b) order the revision of all or any part of a document that, in the opinion of the Board, is
 - (i) not relevant or may tend to prejudice or delay a fair consideration, on the merits, of an application or other proceeding, or
 - (ii) necessary for the purpose of determining the pertinent questions in issue in the proceeding.

(2) At any time before the Board decides to grant an application or a request for review under section 25(1) or 41(1) of the Act or before the end of a hearing, a party shall notify the Board if the party becomes

aware of significant new information that is necessary for the Board's determination of the relevant issues.

(3) Any document that is revised must clearly indicate the date of the revision and the part of the document that is revised.

Failure to comply with Regulation

29(1) If a party fails to comply with this Regulation or a direction of the Board respecting an application, a submission or a review, the Board may

- (a) make an order that the Board considers appropriate to ensure the fair determination of an issue, or
- (b) adjourn the proceeding until it is satisfied that this Regulation or the direction of the Board has been complied with.

(2) If a party fails to comply with a time limit specified in this Regulation or by the Board for the filing of documentary evidence or other material, the Board may disregard the documentary evidence or material.

(3) No proceeding is invalid by reason of a defect or other irregularity in form.

Variation of procedures

30 The Board may, at any time, vary the procedures set out in this Regulation.

**Part 3
General**

Notice

31(1) Subject to subsection (2), any notice required to be given under the Act or this Regulation may be given

- (a) by personal delivery,
- (b) by public advertisement in a daily, weekly, bi-weekly or monthly newspaper in circulation in the community affected by the proceeding,
- (c) by courier service, ordinary mail, fax or electronic means to the address given by the person, or
- (d) by any other method that the Board directs.

- (2) A notice may only be given by electronic means if the person being notified has the information technology, equipment, software and processes for receiving or retrieving the notice.
- (3) The NRCB may require a person to file an affidavit setting out to whom notice was given and the means taken to give notice.
- (4) The NRCB may direct the applicant to give a notice issued by the NRCB in accordance with this section.
- (5) Any notice required to be given under this Regulation may be given to a representative.

Filings

- 32(1)** A document is deemed to be filed at the time it is received at the office of the NRCB irrespective of when or how it may have been sent.
- (2) A submission or application actually received at the office of the NRCB later in the day than the NRCB's normal business hours is deemed to have been filed on the next day that the office is open.

Filing of additional material

- 33** After the filing deadline referred to in any notice, no additional information may be filed in respect of an application or submission by or on behalf of a directly affected party or the applicant unless it is at the request of or with the leave of the NRCB.

Affidavits

- 34(1)** An affidavit intended to be used in a proceeding must be confined to those facts within the knowledge of the person making the affidavit or based on the information and belief of the person making the affidavit.
- (2) If a statement is made in an affidavit on information and belief, the source of the information and the grounds on which the belief is based must be set out in the affidavit.
- (3) If an affidavit refers to an exhibit, the exhibit must be marked as such by the person making the affidavit and attached to the affidavit.

Confidentiality of complainant

- 35** The NRCB shall not release the identity of a person who submits a complaint about an agricultural operation to the NRCB if the complaint is submitted in confidence.

Identification of inspectors and approval officers

36 The Board must provide an approval officer designated under section 10 of the Act and an inspector designated under section 11 of the Act an identification card that states an expiry date, and bears the photograph and name of the approval officer or inspector and the signature of the chair of the Board.

**Part 4
Transitional Provisions and Repeal**

Transitional matters

37 Where a person has made an application for a permit or review, or a request for a review under the Act before this Regulation comes into force and the application or request process has not been concluded by the time this Regulation comes into force, the application or request process must continue to be dealt with in accordance with the Act and the regulations under the Act as they read immediately before the coming into force of this Regulation.

Repeal

38 The *Board Administrative Procedures Regulation* (AR 268/2001) is repealed.

Alberta Regulation 107/2017

Apprenticeship and Industry Training Act

IRONWORKER TRADE AMENDMENT REGULATION

Filed: June 13, 2017

For information only: Made by the Alberta Apprenticeship and Industry Training Board on February 10, 2017 and approved by the Minister of Advanced Education on June 8, 2017 pursuant to section 33(2) of the Apprenticeship and Industry Training Act.

1 The *Ironworker Trade Regulation* (AR 156/2006) is amended by this regulation.

2 Section 1 is amended

(a) by adding the following after clause (b):

(b.01) “concrete reinforcement” means metal, steel or synthetic strands, wires, bars or sheets, placed into

concrete structures for the purpose of reinforcing, pre-tensioning or post-tensioning of concrete structures;

- (b.02) “reinforced concrete” means concrete that is cast in place or precast and is reinforced with concrete reinforcement materials;

(b) in clause (b.1)

(i) by repealing subclause (ii) and substituting the following:

- (ii) bridges, including abutments, decks, girders, piers and permanent guard rails;

(ii) by repealing subclauses (iv) and (v) and substituting the following:

- (iv) buildings that are engineered and constructed of metal, steel or reinforced concrete, other than buildings constructed using insulated concrete forms;

3 Section 2 is amended

- (a) in subsection (1) by striking out “6,”;**

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

- (2) The trade is made up of
- (a) the ironworker (metal building systems erector) branch of the trade,
 - (b) the ironworker (structural/ornamental) branch of the trade, and
 - (c) the ironworker (reinforcing) branch of the trade.

4 Section 3 is amended by striking out “7.”.

5 Part 2 is repealed.

6 The heading to Part 3 is repealed and the following is substituted:

**Ironworker (Metal Building Systems Erector)
Branch of the Trade**

7 Section 11 is amended

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

- (a) “metal building systems” means buildings that
- (i) are non-residential, prefabricated metal structures, not more than 2 storeys, that meet *Alberta Building Code* requirements for certification by the Canadian Standards Association,
 - (ii) are constructed of an interior load-bearing framework and an outer non-load-bearing cladding, and
 - (iii) are erected, assembled and installed in accordance with the manufacturer’s instructions without modification to the manufacturer’s specifications,
- but does not include Quonsets or other frameless metal buildings;

(b) in clause (b) by striking out “one”.

8 Section 12 is amended

- (a) by striking out “one storey”;**
- (b) by striking out “metal building systems erector” and substituting “ironworker (metal building systems erector)”.**

9 Section 13 is amended by striking out “metal building systems erector” and substituting “ironworker (metal building systems erector)”.

10 Section 14 is amended

- (a) in subsection (1) by striking out “metal building systems erector” and substituting “ironworker (metal building systems erector)”;**

- (b) in subsections (2) and (3) by striking out “1500” and substituting “1620”.**

11 Section 15 is amended

- (a) in subsections (1) and (2) by striking out “metal building systems erector” wherever it occurs and substituting “ironworker (metal building systems erector)”;**
- (b) in subsection (3)**
- (i) by striking out “metal building systems erector” wherever it occurs and substituting “ironworker (metal building systems erector)”;**
- (ii) by striking out “ironworker branch of the trade or the structural/ornamental” and substituting “ironworker (structural/ornamental)”.**

12 Section 16 is amended by striking out “metal building systems erector” wherever it occurs and substituting “ironworker (metal building systems erector)”.

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

**Ironworker (Structural/Ornamental)
Branch of the Trade**

14 Section 17 is amended

- (a) by striking out “structural/ornamental” and substituting “ironworker (structural/ornamental)”;**
- (b) in clause (a) by adding “, other than the demolition of structures” after “structures”;**
- (c) by repealing clause (d) and substituting the following:**
- (d) the erection of precast or prestressed concrete structures.**

15 Section 18 is amended by striking out “structural/ornamental” **and substituting** “ironworker (structural/ornamental)”.

16 Section 18.1 is repealed.

17 Section 19 is amended

- (a) **in subsection (1) by striking out** “structural/ornamental” **and substituting** “ironworker (structural/ornamental)”;
- (b) **in subsections (2) to (4) by striking out** “1500” **and substituting** “1620”.

18 Section 20 is amended

- (a) **in subsections (1) and (2) by striking out** “structural/ornamental” **wherever it occurs and substituting** “ironworker (structural/ornamental)”;
- (b) **in subsection (3)**
 - (i) **by repealing clause (a);**
 - (ii) **in clause (b) by striking out** “structural/ornamental” **and substituting** “ironworker (structural/ornamental)”;
- (c) **in subsection (4)**
 - (i) **by striking out** “structural/ornamental” **wherever it occurs and substituting** “ironworker (structural/ornamental)”;
 - (ii) **by repealing clause (a);**
 - (iii) **in clause (b) by striking out** “metal building systems erector” **and substituting** “ironworker (metal building systems erector)”.

19 Section 21 is amended by striking out “structural/ornamental” **wherever it occurs and substituting** “ironworker (structural/ornamental)”.

20 The heading to Part 5 is repealed and the following is substituted:

Ironworker (Reinforcing) Branch of the Trade

21 Section 22 is repealed and the following is substituted:

Undertakings constituting the branch

22 The following undertakings constitute the ironworker (reinforcing) branch of the trade:

- (a) the erection of concrete reinforcement materials;
- (b) the attachment of concrete reinforcement materials;
- (c) the post-tensioning of concrete reinforcement materials.

22 Section 23 is amended by striking out “reinforcing” and substituting “ironworker (reinforcing)”.

23 Section 24 is amended

- (a) **in subsection (1) by striking out “reinforcing” and substituting “ironworker (reinforcing)”;**
- (b) **in subsections (2) and (3) by striking out “1500” and substituting “1620”.**

24 Section 25 is amended

- (a) **in subsection (1) by striking out “reinforcing” and substituting “ironworker (reinforcing)”;**
- (b) **in subsection (2)**
 - (i) **by striking out “Subject to subsection (3), a person” and substituting “A person”;**
 - (ii) **by striking out “reinforcing” wherever it occurs and substituting “ironworker (reinforcing)”;**
- (c) **by repealing subsection (3).**

25 Section 26 is amended by striking out “reinforcing” wherever it occurs and substituting “ironworker (reinforcing)”.

26 Section 28 is repealed.

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

Alberta Regulation 108/2017

Agricultural Operation Practices Act

**AGRICULTURAL OPERATIONS, PART 2 MATTERS
AMENDMENT REGULATION**

Filed: June 14, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 201/2017) on June 13, 2017 pursuant to section 44 of the Agricultural Operation Practices Act.

1 The *Agricultural Operations, Part 2 Matters Regulation* (AR 257/2001) is amended by this Regulation.

2 Section 6 is amended by striking out “June 30, 2017” and substituting “June 30, 2020”.

Alberta Regulation 109/2017

Stray Animals Act

STRAY ANIMALS AMENDMENT REGULATION

Filed: June 14, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 202/2017) on June 13, 2017 pursuant to section 35 of the Stray Animals Act.

1 The *Stray Animals Regulation* (AR 301/96) is amended by this Regulation.

2 Section 7 is repealed.

Alberta Regulation 110/2017
Corrections Act
FINE OPTION AMENDMENT ORDER

Filed: June 14, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 204/2017) on June 13, 2017 pursuant to section 34 of the Corrections Act.

1 The *Fine Option Order* (AR 92/99) is amended by this Order.

2 Section 9 is amended by striking out “June 30, 2017” and substituting “June 30, 2018”.

Alberta Regulation 111/2017

Family Law Act
CHILD SUPPORT RECALCULATION PROGRAM
AMENDMENT REGULATION

Filed: June 14, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 205/2017) on June 13, 2017 pursuant to section 55.8 of the Family Law Act.

1 The *Child Support Recalculation Program Regulation* (AR 287/2009) is amended by this Regulation.

2 Section 19 is repealed and the following is substituted:

Service fee

19 The service fee that may be charged by the Director pursuant to section 55.71 of the Act is \$77 to each of the payor and the recipient.

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

Alberta Regulation 112/2017

Maintenance Enforcement Act

MAINTENANCE ENFORCEMENT AMENDMENT REGULATION

Filed: June 14, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 206/2017) on June 13, 2017 pursuant to section 45 of the Maintenance Enforcement Act.

1 The *Maintenance Enforcement Regulation* (AR 2/86) is amended by this Regulation.

2 Sections 24 and 25 are repealed and the following are substituted:

Deterrent charges

24 The deterrent charges payable under the Act and this Regulation are as follows:

- (a) for failing to pay maintenance in accordance with section 25.1(1)(a) of the Act, \$40 per month;
- (b) for failing to file a statement of finances in accordance with section 25.1(1)(b) of the Act, \$205;
- (c) for each dishonoured or stopped payment under section 25.1(1)(c) of the Act, \$51.50;
- (d) for each payment accepted by a creditor and not reported in accordance with section 2(3) of this Regulation, \$51.50.

Service fees

25(1) A debtor or creditor who

- (a) withdraws a maintenance order that has been filed with the Director and who subsequently refiles the order, or
- (b) requests that the Director reopen a file that has been closed by the Director because the debtor or creditor has failed to provide information required under the Act or this Regulation,

shall be charged a service fee of \$205 each time the order is refiled or the file is reopened.

(2) A person who serves a party with documents by substitutional service on the Director will be charged a service fee of \$51.50 for each request for service.

(3) If interest has been collected by the Director on arrears outstanding under a maintenance order, the Director shall retain 20% of the interest collected as a service fee.

3 The Schedule is amended

- (a) in Form 1 by striking out “\$200” and substituting “\$205”;
- (b) in Form 5 by striking out “\$50” and substituting “\$51.50”.

4 This Regulation comes into force on August 1, 2017.

Alberta Regulation 113/2017

Public Sector Compensation Transparency Act

**PUBLIC SECTOR COMPENSATION TRANSPARENCY
DISSOLVED PUBLIC SECTOR BODIES REGULATION**

Filed: June 14, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 207/2017) on June 13, 2017 pursuant to section 15 of the Public Sector Compensation Transparency Act.

Public sector bodies’ disclosure on dissolution

- 1(1)** Before being dissolved, amalgamated or otherwise ceasing to exist, a public sector body must disclose
- (a) the statement of remuneration in relation to the previous calendar year referred to in section 3(5.1)(b) of the Act, and
 - (b) the statement of remuneration in relation to the current calendar year referred to in section 3(5.1)(a) of the Act.
- (2)** The disclosure required under subsection (1) must
- (a) contain the information required in accordance with section 3(2), (4) and (5) of the Act, and
 - (b) be made in the form and manner determined by the Minister.

(3) If a public sector body does not disclose a statement of remuneration referred to subsection (1), the public sector body must provide to the Government of Alberta the information required to prepare the statement of remuneration.

Government of Alberta disclosure

(2)(1) If a public sector body does not disclose a statement of remuneration referred to section 1(1), the Government of Alberta must disclose the statement as soon as practicable after receiving the information referred to in section 1(3), and in no case later than June 30 of the calendar year following the year in which the public sector body was dissolved, amalgamated or otherwise ceased to exist.

(2) If

- (a) a public sector body does not disclose a statement of remuneration referred to in section 1(1),
- (b) the public sector body does not provide the information referred to in section 1(3), and
- (c) the Government of Alberta has, or is able to collect, some or all of the information required,

the Government of Alberta must, as soon as practicable, and in no case later than June 30 of the calendar year following the year in which the public sector body was dissolved, amalgamated or otherwise ceased to exist, disclose a statement of remuneration in accordance with this section.

(3) The disclosure required under subsection (1) must

- (a) contain the information required in accordance with section 3(2), (4) and (5) of the Act, and
- (b) be made in the form and manner determined by the Minister.

(4) The disclosure required under subsection (2) must

- (a) contain the information required in accordance with section 3(2), (4) and (5) of the Act that the Government of Alberta has, or is able to collect, and
- (b) be made in the form and manner determined by the Minister.

(5) The Government of Alberta may, as necessary to comply with its duties under section 3(5.1) of the Act and this Regulation,

- (a) collect information, including personal information, indirectly from the public sector body or otherwise, and
- (b) use and disclose that information.

**Personal information where payment
by Government of Alberta**

3 For the purposes of enabling a public sector body to comply with its duties under section 3(5.1) of the Act and this Regulation, if an employee or member of a public sector body receives compensation from the Government of Alberta, or has a contract with the Government of Alberta respecting the appointment, employment, severance or other terms and conditions for the termination of the appointment or employment of the employee or member,

- (a) the Government of Alberta may disclose that employee's or member's personal information, including contracts, to the public sector body and to the public, and
- (b) the public sector body may collect that employee's or member's personal information, including contracts, from the Government of Alberta.

Transitional

4(1) In this section, "successor" means the entity that has custody or control of the records of a public sector body that has been dissolved, amalgamated or otherwise has ceased to exist.

(2) Nothing in this regulation requires or authorizes the disclosure of compensation information for any year prior to 2015.

(3) If a public sector body was dissolved, amalgamated or otherwise ceased to exist before the coming into force of this regulation, the successor must, on or before June 30, 2017, make the disclosures referred to in section 3(5.1)(a) and (b) of the Act.

(4) The disclosure required under subsection (3) must

- (a) contain the information required in accordance with section 3(2), (4) and (5) of the Act that the successor has in its custody or control, and
- (b) be made in the form and manner determined by the Minister.

Alberta Regulation 114/2017

Public Sector Compensation Transparency Act

**PUBLIC SECTOR COMPENSATION TRANSPARENCY
GENERAL AMENDMENT REGULATION**

Filed: June 14, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 208/2017) on June 13, 2017 pursuant to section 15 of the Public Sector Compensation Transparency Act.

1 The *Public Sector Compensation Transparency General Regulation* (AR 52/2016) is amended by this Regulation.

2 The following is added after section 2:

Disclosure by public sector bodies

2.1(1) For the purposes of section 3(2)(e)(ii) of the Act, the statement of remuneration shall disclose, with respect to each employee or member whose position is listed in Column 1 of Schedule 1 of the *Reform of Agencies, Boards and Commissions Compensation Regulation* (AR 31/2017), the chief executive officer of Alberta Health Services and the chief executive officer of the Independent System Operator, on or before June 30, 2017 and on or before June 30 of every subsequent year, any contract with the public sector body or the Government of Alberta respecting

- (a) the appointment or employment of the employee or member, that was in effect at any time during the prior calendar year, and
- (b) the severance or other terms and conditions for the termination of the appointment or employment of the employee or member, made during the prior calendar year.

(2) Subsection (1) does not apply

- (a) to an employee whose total compensation and severance during the previous calendar year is less than or equal to the threshold referred to in section 1(o)(ii) of the Act;
- (b) to an employee or member referred to in section 2(2) of the *Reform of Agencies, Boards and Commissions Compensation Regulation* (AR 31/2017);
- (c) to a member who does not receive a salary and instead is remunerated on the basis of a daily or hourly rate or on a similar basis;

- (d) to a contract that has already been disclosed under the Act or regulations, and which remains public.

(3) In addition to the disclosure referred to in section 3(1) of the Act, a public sector body must disclose the following on or before December 31 of each calendar year:

- (a) any contract referred to in subsection (1)(b) that was made during the 6-month period ending on June 30 of that year, in respect of an employee or member referred to in subsection (1), other than
 - (i) an employee whose severance paid or payable during that period is less than or equal to the threshold referred to in section 1(o)(ii)(A) and (B) of the Act, and
 - (ii) an employee or member referred to in section (2)(b) or (c);
- (b) the amount of severance, if any, paid or payable during the 6-month period ending on June 30 of that year,
 - (i) to an employee, if the amount of severance is greater than the threshold referred to in section 1(o)(ii)(A) and (B) of the Act, and
 - (ii) to each member;
- (c) in respect of an employee or member to which clause (a) or (b) applies,
 - (i) the employee or member's name, and
 - (ii) the position or appointment last held by the employee or member, during the 6-month period ending on June 30.

(4) Despite section 3, a disclosure under subsection (3) must remain public until the next statement of remuneration disclosed under section 3(1) of the Act is published.

(5) A contract referred to in this section must be disclosed in a partial or redacted format as necessary to ensure that the following are not disclosed:

- (a) the home address of the employee or member;
- (b) any person's signature;

- (c) any other personal information that, in the opinion of the Minister, constitutes an unreasonable invasion of the personal privacy of the employee or member.

3 Section 6 is repealed and the following is substituted:

**Personal information where payment
by Government of Alberta**

6 For the purposes of enabling a public sector body to comply with its duties under the Act or this Regulation, if an employee or member of a public sector body receives compensation from the Government of Alberta, or has a contract with the Government of Alberta respecting the appointment, employment, severance or other terms and conditions for the termination of the appointment or employment of the employee or member,

- (a) the Government of Alberta may disclose that employee's or member's personal information, including contracts, to the public sector body and to the public, and
- (b) the public sector body may collect that employee's or member's personal information, including contracts, from the Government of Alberta.

Alberta Regulation 115/2017

Business Corporations Act

**BUSINESS CORPORATIONS (EXPIRY DATE EXTENSION)
AMENDMENT REGULATION**

Filed: June 14, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 211/2017) on June 13, 2017 pursuant to section 266 of the Business Corporations Act.

1 The *Business Corporations Regulation (AR 118/2000)* is amended by this Regulation.

2 Section 56 is amended by striking out "June 30, 2017" and substituting "December 31, 2019".

Alberta Regulation 116/2017

Livestock Identification and Commerce Act

**LIVESTOCK IDENTIFICATION AND COMMERCE
DELEGATION AMENDMENT REGULATION**

Filed: June 14, 2017

For information only: Made by the Minister of Agriculture and Forestry (M.O. 012/2017) on June 8, 2017 pursuant to section 84 of the Livestock Identification and Commerce Act.

1 The *Livestock Identification and Commerce Delegation Regulation* (AR 207/2008) is amended by this Regulation.

2 Section 23 is repealed.

Alberta Regulation 117/2017

Livestock Identification and Commerce Act

**LIVESTOCK IDENTIFICATION AND COMMERCE
GENERAL AMENDMENT REGULATION**

Filed: June 14, 2017

For information only: Made by the Minister of Agriculture and Forestry (M.O. 013/2017) on June 8, 2017 pursuant to section 92 of the Livestock Identification and Commerce Act.

1 The *Livestock Identification and Commerce General Regulation* (AR 208/2008) is amended by this Regulation.

2 Section 96 is repealed.

Alberta Regulation 118/2017

Stray Animals Act

STRAY ANIMALS DELEGATION AMENDMENT REGULATION

Filed: June 15, 2017

For information only: Made by the Minister of Agriculture and Forestry
(M.O. 011/2017) on June 12, 2017 pursuant to section 27 of the Stray Animals Act.

**1 The *Stray Animals Delegation Regulation* (AR 206/2008)
is amended by this Regulation.**

2 Section 22 is repealed.