

Alberta Regulation 211/2017
Apprenticeship and Industry Training Act
DESIGNATION OF OCCUPATIONS AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Minister of Advanced Education (M.O. 308/2017) on November 15, 2017 pursuant to section 36(1)(a) of the Apprenticeship and Industry Training Act.

1 The *Designation of Occupations Regulation* (AR 285/2006) is amended by this Regulation.

2 Section 1(b) is amended by striking out “construction craft labourer” and substituting “construction craft worker”.

3 This Regulation comes into force on September 1, 2018.

Alberta Regulation 212/2017
Apprenticeship and Industry Training Act
STEAMFITTER - PIPEFITTER TRADE AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Alberta Apprenticeship and Industry Training Board on September 22, 2017 and approved by the Minister of Advanced Education on November 15, 2017 pursuant to section 33(2) of the Apprenticeship and Industry Training Act.

1 The *Steamfitter - Pipefitter Trade Regulation* (AR 305/2000) is amended by this Regulation.

2 Section 1(c) is amended

(a) in subclause (xii) by striking out “gases” and substituting “gas”;

(b) by adding the following after subclause (xiii):

(xiv) fuel systems;

(xv) medical gas systems;

3 Section 3 is amended

(a) by repealing clauses (f), (g) and (h) and substituting the following:

- (f) rigging, hoisting and lifting equipment and piping components;
- (g) installing, maintaining, servicing and troubleshooting boilers and controls;
- (h) installing, maintaining and servicing heat exchange equipment and controls;

(b) by repealing clauses (j) and (k) and substituting the following:

- (j) installing, maintaining and servicing pumps, valves and related equipment;
- (k) installing, maintaining and servicing components in heating, ventilation and air conditioning systems;

4 Section 4 is amended

(a) in subsection (1) by striking out “3 periods” and substituting “4 periods”;

(b) in subsections (2), (3) and (4) by striking out “1500 hours” and substituting “1560 hours”;

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

(4.1) In the 4th period of the apprenticeship program an apprentice must acquire not less than 1560 hours of on the job training and successfully complete the technical training that is required or approved by the Board.

5 Section 5(3) is amended by striking out “3rd period” and substituting “4th period”.

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

- (c.1) 90% in the 4th period of the apprenticeship program.

7 The heading before section 7 is amended by striking out “, Expiry”.

8 Section 9 is repealed.

9 This Regulation comes into force on May 1, 2018.

Alberta Regulation 213/2017

Apprenticeship and Industry Training Act

**TRADE AND OCCUPATIONS REGULATIONS
AMENDMENT REGULATION**

Filed: November 21, 2017

For information only: Made by the Alberta Apprenticeship and Industry Training Board on September 22, 2017 and approved by the Minister of Advanced Education on November 10, 2017 pursuant to sections 22.1(1), 33(2) and 37(2) of the Apprenticeship and Industry Training Act.

1 The *Cathodic Protection Technician Exception Regulation* (AR 16/2013) is amended by repealing section 6.

2 The *Cathodic Protection Technician Occupation Regulation* (AR 17/2013) is amended by repealing section 4.

3(1) The *Concrete Finisher Trade Regulation* (AR 269/2000) is amended by this section.

(2) The heading before section 7 is amended by striking out “, Expiry”.

(3) Section 9 is repealed.

4(1) The *Landscape Horticulturist Trade Regulation* (AR 286/2000) is amended by this section.

(2) The heading before section 7 is amended by striking out “, Expiry”.

(3) Section 9 is repealed.

5(1) The *Oil and Gas Transportation Services Occupation Regulation* (AR 275/2004) is amended by this section.

(2) The heading for Part 7 is amended by striking out “Expiry and”.

(3) Section 15 is repealed.

6 The *Slickline Services Occupation Regulation* (AR 154/2013) is amended by repealing section 4.

7 The *Well Testing Services Supervisor Occupation Regulation* (AR 276/2004) is amended by repealing section 4.

Alberta Regulation 214/2017

Apprenticeship and Industry Training Act

**CONSTRUCTION CRAFT LABOURER OCCUPATION
AMENDMENT REGULATION**

Filed: November 21, 2017

For information only: Made by the Alberta Apprenticeship and Industry Training Board on September 22, 2017 and approved by the Minister of Advanced Education on November 15, 2017 pursuant to section 37(2) of the Apprenticeship and Industry Training Act.

1 The *Construction Craft Labourer Occupation Regulation* (AR 270/2000) is amended by this Regulation.

2 The title is repealed and the following is substituted:

**CONSTRUCTION CRAFT WORKER
OCCUPATION REGULATION**

3 Section 1(b) is amended by striking out “construction craft labourer” and substituting “construction craft worker”.

4 Section 3(n) is amended by striking out “by construction craft labourers” and substituting “in the occupation”.

5 This Regulation comes into force on September 1, 2018.

Alberta Regulation 215/2017

Queen's Printer Act

QUEEN'S PRINTER AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Minister of Service Alberta (M.O. SA:011/2017) on November 16, 2017 pursuant to section 5 of the Queen's Printer Act.

1 The *Queen's Printer Regulations (AR 44/70)* are amended by this Regulation.

2 Section 13 is repealed.

Alberta Regulation 216/2017

Emergency Management Act

GOVERNMENT EMERGENCY MANAGEMENT (EXPIRY DATE EXTENSION) AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 390/2017) on November 21, 2017 pursuant to section 6 of the Emergency Management Act.

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

2 Section 6 is amended by striking out "November 30, 2017" and substituting "November 30, 2019".

Alberta Regulation 217/2017

Government Organization Act

**AUTHORIZED ACCREDITED AGENCIES (EXPIRY DATE
EXTENSION) AMENDMENT REGULATION**

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 391/2017) on November 21, 2017 pursuant to Schedule 10, section 2 of the Government Organization Act.

1 The *Authorized Accredited Agencies Regulation* (AR 184/95) is amended by this Regulation.

2 Section 8 is amended by striking out “January 31, 2018” and substituting “April 30, 2020”.

Alberta Regulation 218/2017

Alberta Corporate Tax Act

ALBERTA CORPORATE TAX AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 392/2017) on November 21, 2017 pursuant to section 56 of the Alberta Corporate Tax Act.

1 The *Alberta Corporate Tax Regulation* (AR 119/2008) is amended by this Regulation.

2(1) The following is added after section 3:

Prescribed corporations

3.1(1) For the purposes of section 36.1(2.1) of the Act, a “prescribed corporation” means any corporation whose gross revenue exceeds \$1 million except

- (a) an insurance corporation as defined in subsection 248(1) of the federal Act,
- (b) a non-resident corporation,
- (c) a corporation reporting in functional currency as defined in subsection 261(1) of the federal Act, or

(d) a corporation that is exempt from taxation under section 35 of the Act and section 149 of the federal Act.

(2) For the purposes of section 36.1(2.4)(b) of the Act, “a prescribed corporation” means

(a) an insurance corporation as defined in subsection 248(1) of the federal Act,

(b) a non-resident corporation, or

(c) a corporation reporting in functional currency as defined in subsection 261(1) of the federal Act.

(2) Subsection (1) applies in respect of returns for taxation years ending after December 31, 2017.

3(1) Section 5.2 is amended

(a) by repealing subsection (1);

(b) in subsection (6)(a) by striking out “section 25.1(1) of the Act” and substituting “section 6.2 of the *Alberta Personal Income Tax Act*”.

(2) Subsection (1) is deemed to have come into force on January 1, 2014.

Alberta Regulation 219/2017

Employment Pension Plans Act

EMPLOYMENT PENSION PLANS AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 394/2017) on November 21, 2017 pursuant to section 159 of the Employment Pension Plans Act.

1 The *Employment Pension Plans Regulation* (AR 154/2014) is amended by this Regulation.

2 Section 10.1 is amended

(a) by repealing subsection (2)(a)(iii) and (iv) and substituting the following:

- (iii) the commuted value of the defined benefit provision will be determined either
 - (A) in accordance with section 9(1), or
 - (B) in accordance with the actuarial assumptions used in the current actuarial valuation report to determine the going concern liabilities value of the plan multiplied by the lesser of 1 and the going concern funded ratio,

and

- (iv) if the commuted value of the defined benefit provision is determined in accordance with section 9(1), the plan will, on termination of active membership or pre-retirement death of the member, pay the full value of the benefit, regardless of the current solvency ratio of the provision,

(b) subsection (3)(a) is amended by striking out “of the Act”.

Alberta Regulation 220/2017

Financial Administration Act

INDEMNITY AUTHORIZATION AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 395/2017) on November 21, 2017 pursuant to section 71 of the Financial Administration Act.

1 The *Indemnity Authorization Regulation* (AR 22/97) is amended by this Regulation.

2 Section 7 is amended by repealing subsections (1) and (2) and substituting the following:

**Metis settlements inspections, investigations
and audits indemnity**

7(1) In this section,

- (a) “Act” means the *Metis Settlements Act*;
- (b) “associate personnel” means

- (i) any person who had been engaged by the Minister to provide services in relation to the office of the former Metis Settlements Ombudsman;
 - (ii) any person who had been employed or otherwise engaged by a person referred to in subclause (i) for the purposes of providing any of the services in relation to the office of the former Metis Settlements Ombudsman;
 - (iii) any person who had been appointed by the former Metis Settlements Ombudsman as an inspector or an investigator under section 171 of the Act or to carry out audits under section 172 of the Act;
- (c) “former Metis Settlements Ombudsman” means a person who had been designated by the Minister as the Metis Settlements Ombudsman;
- (d) “former Regulation” means the *Metis Settlements Ombudsman Regulation* (AR 116/2007);
- (e) “Minister” means the Minister referred to in section 171 of the Act;
- (f) “prescribed duties” means
- (i) with respect to the former Metis Settlements Ombudsman, the exercise or performance of any powers or duties that the former Metis Settlements Ombudsman was authorized by the Minister or the former Regulation to exercise or perform;
 - (ii) with respect to any associate personnel who had been engaged in providing services in relation to the office of the former Metis Settlements Ombudsman, the provision of any of those services;
 - (iii) with respect to any associate personnel who had been appointed as an inspector or an investigator under section 171 of the Act or under the former Regulation, the carrying out of any functions by that person as an inspector or an investigator;
 - (iv) with respect to any associate personnel who had been appointed under section 172 of the Act or under the former Regulation to carry out audits, the carrying out of any function by that person in respect of those audits;

- (v) with respect to any person appointed as an inspector or an investigator under section 171 of the Act, the carrying out of any functions by that person as an inspector or an investigator;
- (vi) with respect to any person appointed under section 172 of the Act to carry out audits, the carrying out of any function by that person in respect of those audits;
- (vii) with respect to any person appointed under section 173 of the Act to assist an inspector or an investigator, the carrying out of any functions by that person to assist an inspector or an investigator.

(2) The President of Treasury Board and Minister of Finance is authorized, on behalf of the Crown, to indemnify the former Metis Settlements Ombudsman, associate personnel and any person referred to in subsection (1)(f)(v) to (vii) against all costs, charges and expenses, including amounts paid to settle actions or satisfy judgments, reasonably incurred by any of those persons in respect of civil, criminal or administrative actions or proceedings, to which any of those persons is made a party by reason of carrying out any prescribed duties, if the person

- (a) acted honestly and in good faith with a view to carrying out the prescribed duties,
- (b) complied with the Schedule, and
- (c) in the case of a criminal or administrative action or proceeding enforceable by a monetary penalty, had reasonable grounds for believing that the conduct of the person was lawful.

3 The following is added after section 11:

Provincial Court judges and masters in chambers indemnity

12(1) In this section, “Minister” means the member of the Executive Council responsible for the *Provincial Court Act* and the *Court of Queen’s Bench Act*.

(2) The Minister is authorized on behalf of the Crown, on the terms and conditions recommended by a Judicial Compensation Commission that are binding on the Crown, to indemnify a judge of the Provincial Court of Alberta or a master in chambers against all costs, charges and expenses, including amounts paid to settle actions or satisfy judgments, incurred by the judge or master in chambers in

respect of civil, criminal or administrative actions or proceedings, including any complaints, charges or inquiries, and whether a party or not, arising out of his or her conduct as a judge or master in chambers.

Alberta Regulation 221/2017

Civil Enforcement Act

CIVIL ENFORCEMENT AMENDMENT (2017) REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 396/2017) on November 21, 2017 pursuant to section 106 of the Civil Enforcement Act.

1 The *Civil Enforcement Regulation* (AR 276/95) is amended by this Regulation.

2 Section 4 is amended by striking out “and” at the end of clause (a), by adding “, and” at the end of clause (b) and by adding the following after clause (b):

(c) an e-mail address by which documents may be served on the agency.

3 Section 5(a) is amended by adding “e-mail address,” after “address.”

4 Schedule 4 is amended by sections 5 to 8.

5 Form 5 is amended by adding “E-mail Address” after “Telephone Number”.

6 Form 6 is amended by adding “, E-mail Address” after “(Name, Address”.

7 Form 8 is amended by adding “E-mail Address” after “(Province Postal Code Telephone Number”.

8 Form 9 is amended by striking out the following:

Print Name of Civil Enforcement Agency

Address

City/Town Province Postal Code

and substituting:

Print Name of Civil Enforcement Agency

Address

City/Town Province Postal Code

E-mail Address

**9 The heading to Part 6 is amended by striking out
“Expiry,”.**

10 Section 62 is repealed.

Alberta Regulation 222/2017

**Provincial Court Act
Court of Queen’s Bench Act**

**PROVINCIAL JUDGES AND MASTERS IN CHAMBERS
REGISTERED AND UNREGISTERED PENSION
PLANS (2017) AMENDMENT REGULATION**

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 397/2017) on November 21, 2017 pursuant to section 16 of the Court of Queen’s Bench Act and section 9.52 of the Provincial Court Act.

1 The *Provincial Judges and Masters in Chambers Registered and Unregistered Pension Plans (AR 196/2001)* is amended by this Regulation.

2 Sections 1 and 2 are amended by striking out “7” and substituting “5”.

3 Schedule 1 is amended by sections 4 to 11 and 17(a).

4 Section 1(1)(cc) is amended by striking out “5” and substituting “2”.

5 Section 20(1) is amended by adding “and section 36(5)” after “and (3)”.

6 Section 28 is amended

(a) in subsection (1) by adding “and section 38(5)” after “and (3)”;

(b) in subsection (3)(b) by striking out “1(y)(iii)” and substituting “1(1)(r.1)(iii)”.

7 Section 34 is amended by adding “, other than a surviving pension partner within the meaning of section 35(2),” after “person”.

8 Section 35 is amended by renumbering it as section 35(1) and the following is added after section 35(1):

(2) In this Division, “surviving pension partner” means the individual (if any) who was the pension partner of the deceased immediately before the death occurred, and who survived the deceased.

9 Section 36 is repealed and the following is substituted:

Pension partner's pension on death before pension commencement

36(1) Where there is a surviving pension partner, that pension partner is entitled to choose to receive

- (a) a pension for life in an amount equal to 3/4 of the normal pension, or
- (b) a pension provided for in subsection (2),

with the pension specified in clause (a) applying automatically if no such choice is made or made in time.

(2) The pension referred to in subsection (1)(b) is the pension described in section 38(2).

(3) The pensions addressed in subsection (2), as it incorporates section 38(2)(c) (as deemed to have been selected by the deceased), are

- (a) a joint life pension payable during the joint lives of the deceased and the surviving pension partner and which, after the death of the deceased, is payable to that pension partner for life in the same amount as would have been payable before the death but in an amount that is the actuarial equivalent of the pension payable in the form specified in section 19(2)(b), and
- (b) a term only pension, payable for whichever term, being 5, 10 or 15 years, is selected by the pension partner and in the amount of the guaranteed term pension that the deceased would have received under section 21(1) (with that selected term) had the deceased selected that guaranteed term pension and continued to live until the end of that term, and that is the actuarial equivalent of the pension payable in the form specified in section 19(2)(a).

(4) Section 38(4) applies with respect to this section.

(5) Where this section applies, nothing in section 20 does.

(6) A choice under subsection (1) of a pension referred to in subsection (1)(b) must be made within 90 days after a request made by the Minister to the surviving pension partner to do so has been sent.

10 Section 38 is repealed and the following is substituted:

**Pension partner's benefit on death before
pension commencement**

38(1) Where there is a surviving pension partner, that pension partner is entitled,

- (a) if the deceased was vested, to choose to receive, subject to any maximum limit imposed by the tax rules,
 - (i) a pension for life in an amount equal to 2/3 of the normal pension, or
 - (ii) a pension provided for in subsection (2),

with the pension specified in subclause (i) applying automatically if no such choice is made or made in time, or

- (b) if the deceased was not vested, to receive an amount equal to the participant contributions.
- (2) The pension referred to in subsection (1)(a)(ii) is the pension that the surviving pension partner would have received if the deceased, immediately before dying,
- (a) has that surviving pension partner as his or her pension partner at pension commencement,
 - (b) terminated with an entitlement, subject to this section, to a normal pension, and
 - (c) chose that pension which that surviving pension partner, in a written notice filed with the Minister within 90 days after being requested to do so by the Minister, elects to treat the deceased as being deemed to have chosen from among the pensions specified in subsection (3).
- (3) The pensions referred to in subsection (2)(c) (as deemed to have been selected by the deceased) are
- (a) a joint life pension payable during the joint lives of the deceased and the surviving pension partner and which, after the death of the deceased, is payable to that pension partner for life in the same amount as would have been payable before the death but in an amount that is the actuarial equivalent of the pension payable in the form specified in section 27(3)(b), and
 - (b) a term only pension, payable for whichever term, being 5, 10 or 15 years, is selected by the pension partner and in such amount as the deceased would have received as a guaranteed term pension under section 29(1)(a) (with that selected term) had the deceased selected that guaranteed term pension and continued to live until the end of that term, and as is the actuarial equivalent of the pension payable in the form specified in section 27(3)(a).
- (4) The pension partner's option under this section applies
- (a) regardless of whether or not the deceased would, given the circumstances, have been entitled under this Plan to choose the pension so chosen immediately before dying, and
 - (b) disregarding any age or age and judicial service shortfall respecting that eligibility and in the calculation of the pension.

(5) Where this section applies, nothing in section 28 does.

(6) A choice under subsection (1)(a) of a pension referred to in subsection (1)(a)(ii) must be made within 90 days after a request made by the Minister to the surviving pension partner to do so has been sent.

11 Section 39(b) is amended by adding “and is to be in an amount that is the actuarial equivalent of the pension in the section 27(3)(a) form” **after** “that choice”.

12 Schedule 2 is amended by sections 13 to 16 and 17(b).

13 Section 1(3)(b) is amended by adding “the same or” **after** “paragraph of”.

14 Section 34 is amended by adding “, other than a surviving pension partner within the meaning of section 35, as it incorporates section 35(2) of the Registered Plan,” **after** “person”.

15 Section 36 is repealed and the following is substituted:

Pension partner's pension for pre-1992 service

36(1) Where there is a surviving pension partner, that pension partner is entitled to choose to receive

- (a) a pension for life in an amount equal to 3/4 of that part of the normal pension, if any, that is based on pensionable service before 1992, or
- (b) a pension provided for in subsection (2),

with the pension specified in clause (a) applying automatically if no such choice is made.

(2) Section 36(2) of the Registered Plan applies with respect to this Plan, with the reference to section 38(2) being taken as a reference to section 38(2), as it incorporates section 38(2) of the Registered Plan.

(3) Section 36(3) and (4) of the Registered Plan apply with respect to this Plan with the references in them to provisions in section 38 being taken as references to section 38, as it incorporates the corresponding provisions in section 38 of the Registered Plan.

(5) Where this section applies, nothing in section 28 does.

(6) Section 36(6) of the Registered Plan applies with respect to this Plan.

16 Section 38 is repealed and the following is substituted:

**Pension partner's benefit on death before
pension commencement**

38(1) Where there is a surviving pension partner, that pension partner is entitled,

(a) if the deceased was vested, to choose to receive

(i) a pension for life in an amount equal to 3/4 of that part of the normal pension that is based on pensionable service after 1991, or

(ii) a pension provided for in subsection (2),

with the pension specified in subclause (i) applying automatically if no such choice is made or made in time, or

(b) if the deceased was not vested, to receive an amount equal to the participant contributions.

(2) Section 38(2) to (6) of the Registered Plan apply with respect to this Plan, with the reference to section 29(1)(a) being taken as a reference to section 29, as it incorporates section 29(1)(a) of the Registered Plan.

17 The following provisions are amended by adding “with the Minister” after “filed” or “filing”, as the case may be:

(a) in Schedule 1, sections 19(2)(a) and (b), 27(3)(a) and (b) and 49(4), and

(b) in Schedule 2, sections 27(3)(a) and (b) and 58.

18 This Regulation is deemed to have come into force on April 1, 2013.

Alberta Regulation 223/2017
Government Organization Act
JUSTICE AND SOLICITOR GENERAL GRANTS
AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 398/2017) on November 21, 2017 pursuant to section 13 of the Government Organization Act.

1 The *Justice and Solicitor General Grants Regulation* (AR 97/2001) is amended by this Regulation.

2 Section 10 is repealed.

Alberta Regulation 224/2017
Judgment Interest Act
JUDGMENT INTEREST AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 399/2017) on November 21, 2017 pursuant to section 4 of the Judgment Interest Act.

1 The *Judgment Interest Regulation* (AR 215/2011) is amended by this Regulation.

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

(z) the interest rate from January 1, 2018 to December 31, 2018 is prescribed at 0.87% per year.

Alberta Regulation 225/2017

Land Agents Licensing Act

LAND AGENTS LICENSING AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 402/2017) on November 21, 2017 pursuant to section 25 of the Land Agents Licensing Act.

1 *The Land Agents Licensing Regulation (AR 227/2001)* is amended by this Regulation.

2 Section 12 is repealed.

Alberta Regulation 226/2017

Alberta Utilities Commission Act

SECURITY MANAGEMENT AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 407/2017) on November 21, 2017 pursuant to section 78 of the Alberta Utilities Commission Act.

1 *The Security Management Regulation (AR 230/2012)* is amended by this Regulation.

2 Section 4 is repealed.

Alberta Regulation 227/2017

Mines and Minerals Act

OIL SANDS TENURE REGULATION, 2010 (EXPIRY DATE EXTENSION) AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 408/2017) on November 21, 2017 pursuant to section 5 of the Mines and Minerals Act.

1 The *Oil Sands Tenure Regulation, 2010 (AR 196/2010)* is amended by this Regulation.

2 Section 33 is amended by striking out “December 1, 2017” and substituting “November 30, 2019”.

Alberta Regulation 228/2017

Provincial Parks Act

PROVINCIAL PARKS (DISPOSITIONS) AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 409/2017) on November 21, 2017 pursuant to section 12 of the Provincial Parks Act.

1 The *Provincial Parks (Dispositions) Regulation (AR 241/77)* is amended by this Regulation.

2 Section 85 is repealed.

Alberta Regulation 229/2017

Water Act

WATER (OFFENCES AND PENALTIES) (EXPIRY DATE EXTENSION, 2017) AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 410/2017) on November 21, 2017 pursuant to section 169 of the Water Act.

1 The *Water (Offences and Penalties) Regulation (AR 193/98)* is amended by this Regulation.

2 Section 7 is amended by striking out “December 1, 2017” and substituting “December 1, 2019”.

Alberta Regulation 230/2017

Income and Employment Supports Act

**INCOME AND EMPLOYMENT SUPPORTS ACT REGULATIONS
AMENDMENT REGULATION**

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 411/2017) on November 21, 2017 pursuant to sections 18, 27, 33 and 42 of the Income and Employment Supports Act.

1(1) The *Child and Adult Support Services Regulation* (AR 61/2004) is amended by this section.

(2) Section 8 is repealed.

2(1) The *Disability-Related Employment Supports and Services Regulation* (AR 117/2011) is amended by this section.

(2) Section 9 is repealed.

3(1) The *Income Support, Training and Health Benefits Regulation* (AR 122/2011) is amended by this section.

(2) Section 103 is repealed.

4(1) The *Temporary Employment and Job Creation Programs Regulation* (AR 33/2010) is amended by this section.

(2) Section 5 is repealed.

Alberta Regulation 231/2017

Post-secondary Learning Act

CAMPUS ALBERTA SECTOR AMENDMENT REGULATION

Filed: November 21, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 415/2017) on November 21, 2017 pursuant to section 102.2 of the Post-secondary Learning Act.

1 The *Campus Alberta Sector Regulation (AR 239/2008)* is amended by this Regulation.

2 Section 5 is repealed and the following is substituted:

Independent Academic Institutions

5 The following publicly funded private colleges are assigned to the Independent Academic Institutions sector of the publicly funded post-secondary system:

- (a) Ambrose University;
- (b) Burman University;
- (c) Concordia University of Edmonton;
- (d) The King's University;
- (e) St. Mary's University.

3 Section 7 is amended by striking out "January 31, 2018" and substituting "January 31, 2020".

Alberta Regulation 232/2017

Traffic Safety Act

**DRIVERS' HOURS OF SERVICE (EXPIRY DATE
EXTENSION) AMENDMENT REGULATION**

Filed: November 22, 2017

For information only: Made by the Minister of Transportation (M.O. 31/17) on November 20, 2017 pursuant to section 156 of the Traffic Safety Act.

1 The *Drivers' Hours of Service Regulation (AR 317/2002)* is amended by this Regulation.

2 Section 22 is amended by striking out "March 15, 2018" and substituting "March 15, 2022".

Alberta Regulation 233/2017
Skin Cancer Prevention (Artificial Tanning) Act
ARTIFICIAL TANNING REGULATION

Filed: November 23, 2017

For information only: Made by the Minister of Health (M.O. 32/2017) on October 10, 2017 pursuant to sections 1 and 2(1) of the Skin Cancer Prevention (Artificial Tanning) Act.

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Definitions

1 In this Regulation, “Act” means the *Skin Cancer Prevention (Artificial Tanning) Act*.

Prescribed forms of identification

2(1) Subject to subsection (2), the following forms of identification are prescribed as acceptable for the purposes of section 2 of the Act as proof of a person’s age:

- (a) an operator’s licence or driver’s licence;
- (b) a passport;
- (c) a Canadian permanent resident card;
- (d) a Canadian Armed Forces identity card;
- (e) other documentation that is issued by the Government of Canada, the government of a province or the government of another country.

(2) Subsection (1) applies only if the form of identification is valid and shows the person’s full name, photograph, date of birth and signature.

Advertising directed to minors

3 For the purposes of section 4 of the Act, advertising directed to minors includes advertising that

- (a) is placed in media that are targeted at persons who are less than 18 years of age, or
- (b) employs depictions that are targeted at persons who are less than 18 years of age.

Signage

4(1) A person who sells, offers for sale or provides artificial tanning services shall post signage in the form, content and colour as depicted, and in the dimensions as set out, in the *Standards for Artificial Tanning Facility Signage* developed by the Minister and posted on the Government of Alberta website, as amended or replaced from time to time.

(2) A person who sells, offers for sale or provides artificial tanning services shall post the signage specified in subsection (1) in accordance with the following:

- (a) one entrance sign must be displayed at each customer entrance door, with each sign
 - (i) located within 0.5 metre of the entrance door, and
 - (ii) visible to individuals entering the facility;
- (b) one sign facing customers must be displayed at each point of sale, with each sign
 - (i) located within 1.0 metre of each cash register or other place in the artificial tanning facility where payment is made and identification is verified, and
 - (ii) visible to a prospective customer at the cash register or other place in the artificial tanning facility where payment is made and identification is verified;
- (c) one sign facing employees must be displayed at each point of sale, with each sign
 - (i) located within 1.0 metre of each cash register or other place in the artificial tanning facility where payment is made and identification is verified, and
 - (ii) visible to an employee at the cash register or place in the artificial tanning facility where payment is made and identification is verified;
- (d) one health warning sign must be displayed near each piece of artificial tanning equipment, with each sign

- (i) located within 1.0 metre of the piece of artificial tanning equipment, and
- (ii) visible to a customer before using the artificial tanning equipment.

(3) A person who sells, offers for sale or provides artificial tanning services shall ensure that the signage referred to in subsections (1) and (2) is kept in good condition, unobstructed and clearly visible at all times.

Enforcement officers

5 Individuals appointed by a regional health authority as executive officers under section 9 of the *Public Health Act* are designated as enforcement officers for the purposes of the Act.

Coming into force

6 This Regulation comes into force on the coming into force of sections 1, 2(1), (2) and (4) and 3 to 12 of the *Skin Cancer Prevention (Artificial Tanning) Act*.

Alberta Regulation 234/2017

Income and Employment Supports Act

**INCOME AND EMPLOYMENT SUPPORTS ACT REGULATIONS
(MINISTERIAL) AMENDMENT REGULATION**

Filed: November 27, 2017

For information only: Made by the Minister of Advanced Education (M.O. 303/2017) on November 23, 2017 pursuant to sections 26 and 42(2) of the Income and Employment Supports Act.

1(1) The *Recovery Regulation (AR 43/2010)* is amended by this section.

(2) Section 4 is repealed.

2(1) The *Training Provider Regulation (AR 186/2011)* is amended by this section.

(2) Section 8 is repealed.

Alberta Regulation 235/2017

Petroleum Marketing Act

PETROLEUM MARKETING AMENDMENT REGULATION

Filed: November 28, 2017

For information only: Made by the Lieutenant Governor in Council (O.C. 418/2017) on November 28, 2017 pursuant to section 19.1 of the Petroleum Marketing Act.

1 The *Petroleum Marketing Regulation* (AR 174/2006) is amended by this Regulation.

2 The following is added after section 26:

Direction to transmit or store hydrocarbons

26.1(1) When the Commission wishes to arrange for the storage of a hydrocarbon substance delivered to it pursuant to section 16 of the Act, the Commission may

- (a) direct the supplier of a pipeline to transmit the hydrocarbon substance by the supplier's pipeline to a storage facility in Alberta designated by the Commission or to a point in Alberta designated by the Commission that is en route to a storage facility, or
- (b) subject to subsection (2), direct the supplier of any storage facility in Alberta to accept the hydrocarbons for storage and to store it in that storage facility,

subject to the payment of compensation for it by the Commission in accordance with subsection (3).

(2) The Commission shall not make a direction under subsection (1)(b) in respect of a storage facility consisting of an underground formation unless approval has been previously obtained from the Alberta Energy Regulator pursuant to section 39(1)(d) of the *Oil and Gas Conservation Act*.

(3) When a direction is made by the Commission under subsection 1(a) and the Commission is unable to reach an agreement with the supplier of the pipeline as to the just and reasonable charges to be paid by the Commission for the transmission of the hydrocarbon substance by the pipeline, section 110 of the *Public Utilities Act* applies.

Alberta Regulation 236/2017
New Home Buyer Protection Act
NEW HOME BUYER PROTECTION (MINISTERIAL)
AMENDMENT REGULATION

Filed: November 29, 2017

For information only: Made by the Minister of Municipal Affairs (M.O. P:011/17) on November 7, 2017 pursuant to section 28(2) of the New Home Buyer Protection Act.

1 The New Home Buyer Protection (Ministerial) Regulation (AR 220/2013) is amended by this Regulation.

2 Section 2(2)(a) is amended by adding the following after subclause (vii):

(viii) Humans Helping Humans Housing Foundation.

3 The following is added after section 2:

Residential builder licensing exemptions

2.1(1) In this section, the terms “manufactured home”, “mobile home” and “package home” have the meanings given to them in the *Retail Home Sales Business Licensing Regulation* (AR 197/99).

(2) Subject to subsection (3), the following persons are exempt from the licensing requirements in section 2.1 of the statute:

- (a) a person authorized to trade in real estate as a real estate broker under the *Real Estate Act*;
- (b) a person who is permitted to practise engineering under the *Engineering and Geoscience Professions Act*;
- (c) a professional technologist as defined in section 86.4(m) of the *Engineering and Geoscience Professions Act*;
- (d) a registered architect as defined in section 1(m) of the *Architects Act*.

(3) An exemption under subsection (2)(a), (b), (c) or (d) applies only with respect to work performed by the person within the scope of practice under the *Real Estate Act*, *Engineering and Geoscience Professions Act* or *Architects Act*, as the case may be.

(4) A person who holds a licence under the *Retail Home Sales Business Licensing Regulation* (AR 197/99) is exempt from the

requirement to hold a developer licence under the *New Home Buyer Protection (General) Regulation* (AR 211/2013) in respect of new homes that are manufactured homes, mobile homes or package homes.

4 Sections 3 and 4 are repealed.

5 Section 5(1) is amended by adding the following after clause (j):

(k) apply for a licence.

6 Section 11(1.2) is repealed.

7 Section 31 is repealed.

8 The Schedule is amended by striking out Form 1, Compliance Order, and substituting the following:

**Form 1
Compliance Order**

(New Home Buyer Protection Act
section 12)

To _____ (name)

of _____ (address)

Take notice that:

This order is issued in respect of the following contravention (*identify contravention and, if applicable, location of contravention*):

You are hereby ordered, on or before _____ (date), pursuant to section 12 of the *New Home Buyer Protection Act* (“the Act”), to take, stop or modify the following action (*set out the order*):

This order is being issued because (*set out the reasons*):

Non-compliance with this order is an offence under the Act.

Pursuant to sections 4, 5, 6, 15 and 26 of the Act, contravention of or failure to comply with this order may result in one or more of the following actions being taken against you:

- you might be prosecuted under the Act in respect of the contravention or failure to comply;
- you might have an administrative penalty imposed on you in respect of the contravention or failure to comply;
- you might be refused an authorization as an owner builder under the Act or have an authorization issued to you as an owner builder under the Act suspended or cancelled.

- you might be refused a residential builder licence, or, if you hold such a licence, you might be subject to disciplinary consequences.

This compliance order may be reviewed by the Registrar under section 13 of the Act if a written request for review is made within 30 days of the date of receipt of this order to (name, address, telephone number and facsimile number of the Registrar).

The Registrar may make a decision on a review of the compliance order or may refer the review decision to the New Home Buyer Protection Board.

Dated this _____ day of _____, 20__.

Compliance Officer

9 This Regulation comes into force on December 1, 2017.

Alberta Regulation 237/2017

New Home Buyer Protection Act

**NEW HOME BUYER PROTECTION (MINISTERIAL)
AMENDMENT REGULATION**

Filed: November 29, 2017

For information only: Made by the Minister of Municipal Affairs (M.O. P:002/17) on November 8, 2017 pursuant to section 28(2) of the New Home Buyer Protection Act.

1 The *New Home Buyer Protection (Ministerial) Regulation (AR 220/2013)* is amended by this Regulation.

2 Section 6 is repealed and the following is substituted:

Service of compliance orders and notices

6(1) A compliance order issued, amended, confirmed, varied or cancelled under the Act and a notice of administrative penalty or other written notice or document required by the Act to be issued or sent must be served

- (a) in the case of an individual,
 - (i) by personal service,
 - (ii) by leaving it for the individual with a person apparently at least 18 years of age at the individual's current or most usual dwelling place,
 - (iii) by sending it by registered mail to
 - (A) the individual's last known address, or
 - (B) the most recent address provided by the individual to the Registrar,

or

- (iv) by sending it by facsimile or other form of electronic transmission to the individual's last known facsimile number or electronic address, if there is a record of so sending it,

and

- (b) in the case of a corporation,
 - (i) by leaving it with a director, manager or officer of the corporation, or the president, chairperson or other head officer, by whatever name that person is known, of the corporation,
 - (ii) by leaving it at the corporation's registered office,
 - (iii) by sending it by registered mail to the corporation's registered office,
 - (iv) in the case of an extra-provincial corporation, by leaving it with, at the address of, or by sending it by registered mail to the address of

- (A) the corporation's attorney for service appointed as required by the *Business Corporations Act*, or
- (B) the corporation's principal place of business in Alberta,

or

- (v) by sending it by facsimile or other form of electronic transmission to the corporation's last known facsimile number or electronic address, if there is a record of so sending it.

(2) Service by registered mail is not invalid by reason only that

- (a) the addressee refuses to accept the mail,
- (b) the addressee returns the mail,
- (c) the addressee refuses to take delivery, or
- (d) the addressee no longer resides or is otherwise not present at the address and has not provided the postal service with a current mailing address.

(3) The Registrar may apply to the Board for direction regarding the service of a notice of administrative penalty, including service in a manner or to a location not set out in this section.

(4) The service referred to in this section is presumed to be effected on the date indicated in this subsection, unless the contrary is proved:

- (a) in the case of a document sent by registered mail, on the date of delivery;
- (b) in the case of a document sent by facsimile machine or e-mail, on the date the facsimile or e-mail was sent as confirmed by a record of successfully completed transmission;
- (c) in any other case, on the date when the Administrator complies fully with the directions of the Board regarding the service.

3 Section 7(1) is amended

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

- (d.1) "issuing authority" means the Registrar;

(b) in clause (e)(iii) by striking out “the Registrar” and substituting “the issuing authority”.

4 Section 10(3)(b) is amended by striking out “under section 17 of the statute”.

5 Section 13(1) is repealed and the following is substituted:

Notice of hearing

13(1) Unless section 22 applies, at least 21 days before the hearing date the Board must send to the parties by mail or by e-mail a notice setting out

- (a) whether the Board intends to proceed with
 - (i) an oral appeal hearing conducted in person, or
 - (ii) an electronic hearing,
- (b) in the case of an oral hearing conducted in person, the time and place of the hearing of the appeal, and
- (c) in the case of an electronic hearing, the time and the information needed to participate in the hearing of the appeal.

6 Section 14(a) and (b) are repealed and the following is substituted:

- (a) any relevant guidelines and interpretation bulletins issued by the issuing authority, and
- (b) any matter on the record, including decisions of a compliance officer, the issuing authority or any other person.

7 The following is added after section 14:

Deadline for submissions

14.1 Subject to an order of the Board or a direction of a case manager, evidence and written submissions on which a party intends to rely must be submitted no later than 14 days before the hearing in which the party intends to introduce that evidence.

8 Section 16(4) is amended by striking out “7 days” and substituting “10 days”.

9 Section 17(3) is repealed and the following is substituted:

- (3) Subsection (2) does not apply
- (a) if the party attends before the Board, or
 - (b) to a government employee who represents the issuing authority.

10 Section 25 is repealed and the following is substituted:

Dispute resolution

25 The Board may, with or without a hearing, accept or reject a recommendation to resolve a dispute from the parties.

11 Section 28 is amended by adding the following after subsection (3):

- (3.1) A copy of a permit issued by a permit issuer and submitted to the Board by an issuing authority
- (a) is admissible without the attendance or affidavit of the permit issuer, and
 - (b) the absence of proof to the contrary, shall constitute proof of the issuance of a permit and its contents.

12 Section 29 is amended by adding the following after subsection (1):

(1.1) The Board may, in accordance with the rules of the Board, make an award of costs that the Board considers appropriate, relating to matters contained in the appeal or relating to the conduct of the appeal.

13 Section 30 is repealed and the following is substituted:

Publication

30 The Board may publish its decisions, orders and reasons in any manner that the chair considers appropriate.

14 This Regulation comes into force on December 1, 2017.

Alberta Regulation 238/2017

Surface Rights Act

**SURFACE RIGHTS ACT GENERAL (EXPIRY DATE
EXTENSION) AMENDMENT REGULATION**

Filed: November 29, 2017

For information only: Made by the Minister of Environment and Parks
(M.O. 46/2017) on November 17, 2017 pursuant to section 41 of the Surface Rights
Act.

**1 The *Surface Rights Act General Regulation*
(AR 195/2007) is amended by this Regulation.**

**2 Section 16 is amended by striking out “November 30, 2017”
and substituting “November 30, 2019”.**

Alberta Regulation 239/2017

Provincial Parks Act

PROVINCIAL PARKS (GENERAL) AMENDMENT REGULATION

Filed: November 29, 2017

For information only: Made by the Minister of Environment and Parks
(M.O. 48/2017) on November 21, 2017 pursuant to section 12(2) of the Provincial
Parks Act.

**1 The *Provincial Parks (General) Regulation* (AR 102/85) is
amended by this Regulation.**

2 Section 50 is repealed.

Alberta Regulation 240/2017

Water Act

**WATER (MINISTERIAL, EXPIRY DATE EXTENSION, 2017)
AMENDMENT REGULATION**

Filed: November 29, 2017

For information only: Made by the Minister of Environment and Parks
(M.O. 55/2017) on November 21, 2017 pursuant to section 169(2) of the Water Act.

**1 The *Water (Ministerial) Regulation (AR 205/98)* is
amended by this Regulation.**

**2 Section 76 is amended by striking out “December 1, 2017”
and substituting “December 1, 2019”.**

Alberta Regulation 241/2017

Hydro and Electric Energy Act

**HYDRO AND ELECTRIC ENERGY (EXPIRY DATE
EXTENSION) AMENDMENT REGULATION**

Filed: November 30, 2017

For information only: Made by the Alberta Utilities Commission on November 15,
2017 pursuant to section 5 of the Hydro and Electric Energy Act.

**1 The *Hydro and Electric Energy Regulation (AR 409/83)* is
amended by this Regulation.**

**2 Section 22 is amended by striking out “January 31, 2018”
and substituting “January 31, 2023”.**