

Alberta Regulation 3/2019
Employment Pension Plans Act
EXEMPTION (PUBLIC SECTOR PENSION) REGULATION

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For information only: Made by the Lieutenant Governor in Council (O.C. 003/2019) on January 22, 2019 pursuant to section 159 of the Employment Pension Plans Act.

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Definitions

1(1) In this Regulation,

- (a) "AIMCo" means the Alberta Investment Management Corporation;
- (b) "APS" means the Alberta Pensions Services Corporation;
- (c) "Corporation" means one or more of
 - (i) the LAPP Corporation established under Schedule 1 to the JGA,
 - (ii) the PSPP Corporation established under Schedule 2 to the JGA, and
 - (iii) the SFPP Corporation established under Schedule 3 to the JGA;
- (d) "EPPA" means the *Employment Pension Plans Act*;
- (e) "EPPR" means the *Employment Pension Plans Regulation* (AR 154/2014);

- (f) “JGA” means the *Joint Governance of Public Sector Pension Plans Act*, and includes the applicable Schedule or Schedules to the JGA;
- (g) “LAPP” means the Local Authorities Pension Plan continued under Schedule 1 to the JGA;
- (h) “Plan” means one or more of the LAPP, PSPP and SFPP, as the context requires;
- (i) “PSPP” means the Public Service Pension Plan continued under Schedule 2 to the JGA;
- (j) “SFPP” means the Special Forces Pension Plan continued under Schedule 3 to the JGA;
- (k) “transition date” means March 1, 2019.

(2) Where a term that is defined in the EPPA or the EPPR is used in this Regulation, it has that defined meaning for the purposes of this Regulation except where this Regulation gives it a different meaning.

(3) For greater certainty, subject to the JGA and this Regulation, the EPPA and the EPPR apply to the Plans.

(4) A reference in the EPPA or the EPPR concerning “compliance with”, a “breach of”, or action “in accordance with” or “prohibited by” the EPPA or the EPPR, or other similar references in respect of the EPPA or the EPPR, shall be read as being subject to the JGA and this Regulation.

Division of Regulation

2 Apart from sections 1 to 7, this Regulation is divided into

- (a) Schedule 1, containing provisions relating to the LAPP;
- (b) Schedule 2, containing provisions relating to the PSPP;
- (c) Schedule 3, containing provisions relating to the SFPP.

EPPA compliance not prohibited

3 Without limiting section 1(3), where a Schedule to this Regulation sets out an exemption from the EPPA or the EPPR, with or without conditions, the Plan to which the Schedule applies shall be administered in accordance with either

- (a) the exemption and any condition that applies, or

- (b) the EPPA and the EPPR, despite the exemption and any condition that applies.

Responsibilities of Corporations

4(1) For the purposes of section 51(a) of the EPPA and section 58(1) of the EPPR, a Corporation may, as the fundholder of a pension fund, hold the assets of the pension fund

- (a) in the name of AIMCo as nominee and bare trustee in accordance with an investment management agreement, custodial agreement, trust agreement or other agreement entered into with AIMCo on behalf of the applicable Plan that clearly indicates that the investment is held for that Plan,
- (b) in the name of the Crown in right of Alberta as nominee and bare trustee, but only for a period expiring no later than one year after the transition date, in accordance with an investment management agreement, custodial agreement, trust agreement or other agreement entered into with AIMCo on behalf of the applicable Plan that clearly indicates that the investment is held for that Plan, or
- (c) in the case of assets held for the purpose of paying benefits under the EPPA, in the name of the Crown in right of Alberta as may be intermingled with the assets of other pension plans administered by the Crown in right of Alberta or by another Corporation, but only for a period expiring no later than 2 years after the transition date, in accordance with an agreement or arrangement entered into with the Crown in right of Alberta.

(2) If a Corporation, as the fundholder of a pension fund, holds any part or all of the assets of the pension fund in the name of

- (a) AIMCo, or
- (b) the Crown in right of Alberta, including in an account intermingled with the assets of other pension plans administered by the Crown in right of Alberta or by another Corporation,

in accordance with this Regulation and the provisions of an agreement or arrangement between the Corporation and AIMCo or the Crown in right of Alberta, as the case may be, the Corporation is deemed to hold those assets in compliance with its duties and responsibilities as an administrator and a fundholder under the EPPA.

Payment of pension partner's share of contributions in marriage breakdown

5 Despite section 81 of the EPPR, which sets out the conditions prescribed for the purposes of sections 81 and 83(3) of the EPPA, the manner in which benefits are to be divided and the distribution of the non-member pension partner's share for the purpose of section 81 of the EPPA, if a member pension partner's pension has not vested, the non-member pension partner's share of the member pension partner's contributions may be paid to the non-member pension partner as a lump sum.

Consequential amendments

6(1) This section amends the EPPR.

(2) Section 54(2)(h) is amended by adding “, as it applies in accordance with section 72,” after “of federal Schedule III”;

(3) Section 72 is amended by adding the following after subsection (3):

(3.1) When interpreting federal Schedule III for the purposes of this section, the phrase “related party” does not include

- (a) the Crown in right of Alberta,
- (b) an agent of the Crown in right of Alberta,
- (c) a corporation that is controlled directly or indirectly by the Crown in right of Alberta or by an agent of the Crown in right of Alberta, or
- (d) an entity in which the Crown in right of Alberta or an agent of the Crown in right of Alberta has a direct or indirect substantial interest.

Coming into force

7 This Regulation comes into force on March 1, 2019.

Schedule 1

Local Authorities Pension Plan

**Part 1
EPPA Exemptions**

Permanent exemption without conditions

1 The Plan is exempt from the application of the following provisions of the EPPA:

section 52(3);
section 56(3) and (5);
section 74(3) and (4);
section 114;
section 127.

Other permanent exemptions

2(1) The Plan is exempt from the application of section 1(1)(ss)(ii) of the EPPA on the condition that “pension commencement date” means, in relation to a surviving pension partner, the earlier of

- (a) the date of the member’s death, and
- (b) the last date on which the surviving pension partner is allowed, under the *Income Tax Act* (Canada), to start receiving a pension from a registered pension plan.

(2) The Plan is exempt from the application of section 1(2) of the EPPA on the condition that the actuarial present value of benefits that a person is or may become entitled to receive under a defined benefit provision of the Plan must be determined in the manner set out in the plan text document, which must be

- (a) in accordance with either
 - (i) the standards of practice issued by the Canadian Institute of Actuaries, as amended from time to time, or
 - (ii) the actuarial assumptions used in the current actuarial valuation report to determine the going concern liabilities value of the Plan or any simplified actuarial assumptions that reasonably reflect the actuarial assumptions used in the current actuarial valuation report to determine the going concern liabilities value of the Plan,

and

- (b) on the basis of actuarial assumptions and methods that are appropriate and in accordance with accepted actuarial practice.

(3) The Plan is exempt from the application of section 29(1) of the EPPA on the condition that an employee of a participating employer who falls within a class of employees for whom the Plan is maintained is entitled under the plan text document to become a member of the Plan if

- (a) the aggregate of the employee's regularly scheduled hours of work with the participating employer is not less than 30 hours per week, and
- (b) no date or event has been established for the termination of the employee's employment other than by reference to the attainment of a mandatory retirement age.

(4) The Plan is exempt from the application of section 32(1) of the EPPA as it applies to a member's termination of active membership in the Plan while the member is employed in Alberta in employment other than federally regulated employment on the condition that the plan text document must

- (a) establish a vesting period of the earlier of
 - (i) the member attaining 65 years of age while an active member, or
 - (ii) the member having completed at least 2 years consisting of a period or periods indicated in the plan text document as counting toward vesting,

and

- (b) if the member's pension has not vested at the time of the member's termination, authorize the member, in relation to the member's contributions to the Plan up to the date of the member's termination, to
 - (i) receive or transfer from the Plan an amount equal to those contributions, with interest, or
 - (ii) transfer an amount from the Plan to another pension plan as permitted by and in accordance with a pension transfer agreement.

(5) The Plan is exempt from the application of section 36(1) of the EPPA as it applies to the Corporation in respect of

- (a) a participating employer in the Plan on the transition date, or
- (b) a successor employer who becomes a participating employer in the Plan after the transition date under section 30 of Schedule 1 to the JGA.

(6) The Plan is exempt from the application of section 48 of the EPPA as it applies in respect of

- (a) a participating employer in the Plan on the transition date, or

- (b) a successor employer who becomes a participating employer in the Plan after the transition date under section 30 of Schedule 1 to the JGA.

(7) The Plan is exempt from the application of section 67(1) of the EPPA on the condition that the plan text document must allow a member to start receiving the member's pension on a reduced basis at any time upon attaining the age of 55 years provided that the member's pension has vested and the member has terminated the member's active membership.

(8) The Plan is exempt from the application of section 70 of the EPPA as it applies to contributions made entirely by a member to secure improvements in, or to purchase, benefits related to past service before or after the initial legislation date, excluding contributions received by the Plan on a locked-in basis, on the condition that, on the member's termination of active membership in the Plan, and provided that the member's pension has vested and the member has not reached the member's pension commencement date, the plan text document must allow the member to

- (a) receive or transfer from the Plan an amount equal to those contributions, with interest, or
- (b) transfer those contributions, with interest, from the Plan to another pension plan in accordance with a pension transfer agreement.

(9) The Plan is exempt from the application of section 70 of the EPPA as it applies to any part or all of an amount determined in the same manner as required under the rules set out in section 57(2) and (3) of the EPPA on the condition that, if the plan text document requires the determination, and allocation or distribution, of the amount or part, then

- (a) the amount or part must be allocated or distributed in the same manner as required under the rules set out in section 57(4) and (6) of the EPPA,
- (b) a provision of the plan text document that has the same effect as section 57(5) of the EPPA applies,
- (c) subject to clause (b), any allocation or distribution of the amount or part in the same manner as required under the rules set out in section 57(4) of the EPPA must be made on a date that is the same date as required under section 71(1) of the EPPR, and

- (d) any interest calculated on the amount or part must be in respect of a period that is the same period as required under section 73(4) of the EPPR.

(10) The Plan is exempt from the application of section 71(1) of the EPPA on the condition that the plan text document must provide that a deferred member or, if the deferred member is deceased, the deferred member's surviving pension partner, is entitled to receive payment of a lump sum amount equal to the total of the commuted value of the benefit to which the deferred member or surviving pension partner is entitled under the Plan if

- (a) the monthly payments that would or will be or that would have been payable under a defined benefit provision to the deferred member or the deceased, as the case may be,
 - (i) on reaching the age of 65 years, in the case of a person who terminated or died, as the case may be, before reaching that age, or
 - (ii) at termination or death, as the case may be, in the case of a person who terminated or died having reached that age

do not exceed 1/12 of 4% of the Year's Maximum Pensionable Earnings for the calendar year in which the most recent determination of the amount of the lump sum occurred,

or

- (b) where payment or transfer of the commuted value under Division 5 or 8 of Part 8 of the EPPA, as the case may be, is allowed, the commuted value to which that deferred member or surviving pension partner is entitled does not exceed 20% of that Year's Maximum Pensionable Earnings.

(11) The Plan is exempt from the application of section 74(1)(a) and (b) of the EPPA as it applies to a transfer of the assets of the Plan to another pension plan if, and to the extent that, the transfer is authorized under this Regulation.

(12) The Plan is exempt from the application of section 76(1)(b) of the EPPA on the condition that, if the plan text document provides that a member may elect to have the member's pension payments increased for the period prescribed in section 77(1) of the EPPR by an amount determined by reference to any amounts payable under the CPP Act, then the plan text document must also provide that such an election may be made only if

- (a) the election is made on or before the member's pension commencement date, and
- (b) the monthly pension payments payable to the member after the increased benefits and any increased benefits elected by the member in relation to the OAS Act have ceased are not less than 1/12 of 4% of the Year's Maximum Pensionable Earnings for the calendar year in which the most recent determination of the amount of the member's increased pension payments occurred.

(13) The Plan is exempt from the application of section 76(3) of the EPPA on the condition that, if the plan text document provides that a member may elect to have the member's pension payments increased for the period prescribed in section 77(1) of the EPPR by an amount determined by reference to any amounts payable under the OAS Act, then the plan text document must also provide that such an election may be made only if

- (a) the election is made on or before the member's pension commencement date, and
- (b) the monthly pension payments payable to the member after the increased benefits and any increased benefits elected by the member in relation to the CPP Act have ceased are not less than 1/12 of 4% of the Year's Maximum Pensionable Earnings for the calendar year in which the most recent determination of the amount of the member's increased pension payments occurred.

(14) The Plan is exempt from the application of section 76(4) of the EPPA on the condition that, if the plan text document provides for the reduction of a pension because of a member's entitlement to any payments under the CPP Act or the OAS Act or both, as the case may be, the reduction must not exceed the maximum CPP pension or the maximum OAS pension, or both, as the case may be, as of the member's pension commencement date.

(15) The Plan is exempt from the application of sections 136(8), 138(5) and 143(4) of the EPPA as they apply to an administrative penalty, expense or fine, or any portion of an administrative penalty, expense or fine, imposed on the Corporation, AIMCo or APS.

Temporary exemption without conditions

3 For the period of 2 years commencing on the transition date, the Plan is exempt from the application of sections 42 and 44 of the EPPA.

Other temporary exemptions

4(1) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 10(1)(a) of the EPPA as

it applies to the use of mortality tables in the calculation of the contributions required to be made by a member to secure improvements in, or to purchase, benefits related to past service on the condition that gender distinct mortality tables are used in the calculations.

(2) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 10(1)(b) of the EPPA as it applies to the use of mortality tables in the calculation of pensions and benefits on the condition that gender distinct mortality tables are used in the calculations.

(3) For the period of 5 years commencing on the transition date, the Plan is exempt from the application of section 35(7) of the EPPA as it applies to the role of AIMCo and APS under section 17(1) and (2) of Schedule 1 to the JGA.

(4) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 37(1) of the EPPA on the condition that the Corporation must continue the statement and disclosure practices, including with respect to form and timing, existing immediately before the transition date in respect of the Plan until the Corporation is able to comply with section 37(1) of the EPPA and the corresponding provisions of the EPPR.

(5) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 37(2) and (4) of the EPPA to the extent that a person, participating employer or union has requested access to information or a record that is not available and the provision of which is subject to the temporary exemption set out in subsection (4); however, the Corporation must comply with the request if the person, participating employer or union is entitled to the information or records under section 37(1) of the EPPA and the requested information or record is available.

(6) For the period of one year commencing on the transition date, the Plan is exempt from the application of section 43 of the EPPA on the condition that, during the term of this exemption, the Corporation continues to use the general policy guidelines concerning the investment and management of the pension fund that were in place immediately prior to the transition date.

(7) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 62(3)(a) of the EPPA as it applies to Plan assets held for the purpose of paying benefits under the EPPA on the condition that such Plan assets are held in an account in the name of the Crown in right of Alberta, which may be intermingled with assets of other pension plans administered by the Crown in right of Alberta or a Corporation.

**Part 2
EPPR Exemptions**

Permanent exemption without conditions

5 The Plan is exempt from the application of the following provisions of the EPPR:

section 23;
section 31(4)(c);
section 32(3)(a);
section 34(4)(c) and (g)(vi);
section 35(4)(f);
section 36(3)(b), (4)(e) and (5)(c);
section 37(6)(a)(ii)(D);
section 40(5)(d)(vi), (e) and (g);
section 55(e);
section 62;
section 75(3)(c);
section 90.

Other permanent exemptions

6(1) The Plan is exempt from the application of section 49(5)(d)(ii) of the EPPR on the condition that an actuarial valuation report and a cost certificate must include a calculation of the Plan's solvency deficiency, if any.

(2) The Plan is exempt from the application of section 49(7)(b) of the EPPR as it applies to a solvency deficiency.

(3) The Plan is exempt from the application of section 151 of the EPPR as it applies to the filing fee required upon the registration of the Plan; however, section 151 applies in respect of the calculation of the fee referred to in section 47(3) of the EPPR.

Temporary exemptions

7(1) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 9(5) of the EPPR on the condition that, if the payment or transfer of a benefit under a benefit formula provision occurs more than 365 days after the date on which the commuted value of the benefit was determined, the commuted value of the benefit must be re-determined as at a date that is not more than 30 days before the date of the payment or transfer of that benefit.

(2) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 76(4) of the EPPR to the extent that it requires the use of Form 6 of Schedule 6 to the EPPR on the condition that the statement required under this exemption must be substantially in the form used for the Plan immediately before the transition date for generally the same purpose as set out in section 71(6) of the EPPA.

(3) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of

- (a) section 81(5) of the EPPR, and
- (b) section 83(2) of the EPPR as it applies to the division of a pension in accordance with section 81(5)

on the condition that, where a pension has already commenced to be paid to a member pension partner, the non-member pension partner's share is to be paid directly to the non-member pension partner in the form of a pension which, for the purposes of the Plan, is a portion of the member pension partner's pension and the member pension partner shall receive the remaining balance of the pension as the member pension partner's share of the pension.

(4) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 82(14) of the EPPR on the condition that, if the non-member pension partner's share is a benefit determined with reference to a benefit formula provision of the plan text document, and if the payment or transfer of the non-member pension partner's share occurs more than 365 days after the date on which the commuted value of the benefit was determined, the commuted value of the benefit must be re-determined as at a date that is not more than 30 days before the date of the payment or transfer of that benefit.

(5) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 85 of the EPPR to the extent that it requires the use of Form 5 of Schedule 6 to the EPPR on the condition that the statement required under this exemption must be substantially in the form used for the Plan immediately before the transition date for generally the same purpose as set out in section 89(1)(b) of the EPPA.

(6) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 86(1) and (2) of the EPPR to the extent that it requires the use of Form 4 and Form 9 of Schedule 6 to the EPPR on the condition that the statements required under this exemption must be substantially in the form used for the Plan immediately before the transition date for generally the same purpose as set out,

- (a) in the case of section 86(1), in section 90(4)(a) of the EPPA, and
- (b) in the case of section 86(2), in section 90(6) of the EPPA.

(7) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 142(c)(ii) of the EPPR

as it applies to the deceased member's pension partner's signing of a waiver in Form 5 or Form 9 of Schedule 6 to the EPPR on the condition that the waivers signed in respect of the matters referred to in Form 5 or Form 9, as applicable, must be substantially in the form used for the Plan immediately before the transition date.

Schedule 2

Public Service Pension Plan

Part 1

EPPA Exemptions

Permanent exemption without conditions

1 The Plan is exempt from the application of the following provisions of the EPPA:

section 52(3);
section 56(3) and (5);
section 71(3)(a);
section 74(3) and (4);
section 114;
section 127.

Other permanent exemptions

2(1) The Plan is exempt from the application of section 1(1)(ss)(ii) of the EPPA on the condition that "pension commencement date" means, in relation to a surviving pension partner, the earlier of

- (a) the date of the member's death, and
- (b) the last date on which the surviving pension partner is allowed, under the *Income Tax Act* (Canada), to start receiving a pension from a registered pension plan.

(2) The Plan is exempt from the application of section 1(2) of the EPPA on the condition that the actuarial present value of benefits that a person is or may become entitled to receive under a defined benefit provision of the Plan must be determined in the manner set out in the plan text document, which must be

- (a) in accordance with either
 - (i) the standards of practice issued by the Canadian Institute of Actuaries, as amended from time to time, or
 - (ii) the actuarial assumptions used in the current actuarial valuation report to determine the going concern liabilities value of the Plan or any simplified actuarial assumptions that reasonably reflect the actuarial assumptions used in the current actuarial valuation

report to determine the going concern liabilities value of the Plan,

and

- (b) on the basis of actuarial assumptions and methods that are appropriate and in accordance with accepted actuarial practice.

(3) The Plan is exempt from the application of section 29(1) of the EPPA on the condition that an employee of a participating employer who falls within a class of employees for whom the Plan is maintained is entitled under the plan text document to become a member of the Plan if

- (a) the aggregate of the employee's regularly scheduled hours of work with the participating employer is not less than 30 hours per week, and
- (b) no date or event has been established for the termination of the employee's employment other than by reference to the attainment of a mandatory retirement age.

(4) The Plan is exempt from the application of section 32(1) of the EPPA as it applies to a member's termination of active membership in the Plan while the member is employed in Alberta in employment other than federally regulated employment on the condition that the plan text document must

- (a) establish a vesting period of the earlier of
 - (i) the member attaining 65 years of age while an active member, or
 - (ii) the member having completed at least 2 years consisting of a period or periods indicated in the plan text document as counting toward vesting,

and

- (b) if the member's pension has not vested at the time of the member's termination, authorize the member, in relation to the member's contributions to the Plan up to the date of the member's termination, to
 - (i) receive or transfer from the Plan an amount equal to those contributions, with interest, or

- (ii) transfer an amount from the Plan to another pension plan as permitted by and in accordance with a pension transfer agreement.

(5) The Plan is exempt from the application of section 36(1) of the EPPA as it applies to the Corporation in respect of

- (a) a participating employer in the Plan on the transition date, or
- (b) a successor employer who becomes a participating employer in the Plan after the transition date under section 30 of Schedule 2 to the JGA.

(6) The Plan is exempt from the application of section 48 of the EPPA as it applies in respect of

- (a) a participating employer in the Plan on the transition date, or
- (b) a successor employer who becomes a participating employer in the Plan after the transition date under section 30 of Schedule 2 to the JGA.

(7) The Plan is exempt from the application of section 67(1) of the EPPA on the condition that the plan text document must allow a member to start receiving the member's pension on a reduced basis at any time upon attaining the age of 55 years provided that the member's pension has vested and the member has terminated the member's active membership.

(8) The Plan is exempt from the application of section 70 of the EPPA as it applies to contributions made entirely by a member to secure improvements in, or to purchase, benefits related to past service before or after the initial legislation date, excluding contributions received by the Plan on a locked-in basis, on the condition that, on the member's termination of active membership in the Plan, and provided that the member's pension has vested and the member has not reached the member's pension commencement date, the plan text document must allow the member to

- (a) receive or transfer from the Plan an amount equal to those contributions, with interest, or
- (b) transfer those contributions, with interest, from the Plan to another pension plan in accordance with a pension transfer agreement.

(9) The Plan is exempt from the application of section 70 of the EPPA as it applies to any part or all of an amount determined in the same manner as required under the rules set out in section 57(2) and (3) of the EPPA on the condition that, if the plan text document requires the

determination, and allocation or distribution, of the amount or part, then

- (a) the amount or part must be allocated or distributed in the same manner as required under the rules set out in section 57(4) and (6) of the EPPA,
- (b) a provision of the plan text document that has the same effect as section 57(5) of the EPPA applies,
- (c) subject to clause (b), any allocation or distribution of the amount or part in the same manner as required under the rules set out in section 57(4) of the EPPA must be made on a date that is the same date as required under section 71(1) of the EPPR, and
- (d) any interest calculated on the amount or part must be in respect of a period that is the same period as required under section 73(4) of the EPPR.

(10) The Plan is exempt from the application of section 71(1) of the EPPA on the condition that the plan text document must provide that a deferred member or, if the deferred member is deceased, the deferred member's surviving pension partner, is entitled to receive payment of a lump sum amount equal to the total of the commuted value of the benefit to which the deferred member or surviving pension partner is entitled under the Plan if

- (a) the monthly payments that would or will be or that would have been payable under a defined benefit provision to the deferred member or the deceased, as the case may be,
 - (i) on reaching the age of 65 years, in the case of a person who terminated or died, as the case may be, before reaching that age, or
 - (ii) at termination or death, as the case may be, in the case of a person who terminated or died having reached that age

do not exceed 1/12 of 4% of the Year's Maximum Pensionable Earnings for the calendar year in which the most recent determination of the amount of the lump sum occurred,

or

- (b) where payment or transfer of the commuted value under Division 5 or 8 of Part 8 of the EPPA, as the case may be, is allowed, the commuted value to which that deferred member

or surviving pension partner is entitled does not exceed 20% of that Year's Maximum Pensionable Earnings.

(11) The Plan is exempt from the application of section 74(1)(a) and (b) of the EPPA as it applies to a transfer of the assets of the Plan to another pension plan if, and to the extent that, the transfer is authorized under this Regulation.

(12) The Plan is exempt from the application of section 76(1)(b) of the EPPA on the condition that, if the plan text document provides that a member may elect to have the member's pension payments increased for the period prescribed in section 77(1) of the EPPR by an amount determined by reference to any amounts payable under the CPP Act, then the plan text document must also provide that such an election may be made only if

- (a) the election is made on or before the member's pension commencement date, and
- (b) the monthly pension payments payable to the member after the increased benefits and any increased benefits elected by the member in relation to the OAS Act have ceased are not less than 1/12 of 4% of the Year's Maximum Pensionable Earnings for the calendar year in which the most recent determination of the amount of the member's increased pension payments occurred.

(13) The Plan is exempt from the application of section 76(3) of the EPPA on the condition that, if the plan text document provides that a member may elect to have the member's pension payments increased for the period prescribed in section 77(1) of the EPPR by an amount determined by reference to any amounts payable under the OAS Act, then the plan text document must also provide that such an election may be made only if

- (a) the election is made on or before the member's pension commencement date, and
- (b) the monthly pension payments payable to the member after the increased benefits and any increased benefits elected by the member in relation to the CPP Act have ceased are not less than 1/12 of 4% of the Year's Maximum Pensionable Earnings for the calendar year in which the most recent determination of the amount of the member's increased pension payments occurred.

(14) The Plan is exempt from the application of section 76(4) of the EPPA on the condition that, if the plan text document provides for the reduction of a pension because of a member's entitlement to any payments under the CPP Act or the OAS Act or both, as the case may

be, the reduction must not exceed the maximum CPP pension or the maximum OAS pension, or both, as the case may be, as of the member's pension commencement date.

(15) The Plan is exempt from the application of sections 136(8), 138(5) and 143(4) of the EPPA as they apply to an administrative penalty, expense or fine, or any portion of an administrative penalty, expense or fine, imposed on the Corporation, AIMCo or APS.

Temporary exemption without conditions

3 For the period of 2 years commencing on the transition date, the Plan is exempt from the application of sections 42 and 44 of the EPPA.

Other temporary exemptions

4(1) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 10(1)(a) of the EPPA as it applies to the use of mortality tables in the calculation of the contributions required to be made by a member to secure improvements in, or to purchase, benefits related to past service on the condition that gender distinct mortality tables are used in the calculations.

(2) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 10(1)(b) of the EPPA as it applies to the use of mortality tables in the calculation of pensions and benefits on the condition that gender distinct mortality tables are used in the calculations.

(3) For the period of 5 years commencing on the transition date, the Plan is exempt from the application of section 35(7) of the EPPA as it applies to the role of AIMCo and APS under section 17(1) and (2) of Schedule 2 to the JGA.

(4) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 37(1) of the EPPA on the condition that the Corporation must continue the statement and disclosure practices, including with respect to form and timing, existing immediately before the transition date in respect of the Plan until the Corporation is able to comply with section 37(1) of the EPPA and the corresponding provisions of the EPPR.

(5) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 37(2) and (4) of the EPPA to the extent that a person, participating employer or union has requested access to information or a record that is not available and the provision of which is subject to the temporary exemption set out in subsection (4); however, the Corporation must comply with the request if the person, participating employer or union is entitled to the information or records under section 37(1) of the EPPA and the requested information or record is available.

(6) For the period of one year commencing on the transition date, the Plan is exempt from the application of section 43 of the EPPA on the condition that, during the term of this exemption, the Corporation continues to use the general policy guidelines concerning the investment and management of the pension fund that were in place immediately prior to the transition date.

(7) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 62(3)(a) of the EPPA as it applies to Plan assets held for the purpose of paying benefits under the EPPA on the condition that such Plan assets are held in an account in the name of the Crown in right of Alberta, which may be intermingled with assets of other pension plans administered by the Crown in right of Alberta or a Corporation.

Part 2 EPPR Exemptions

Permanent exemption without conditions

5 The Plan is exempt from the application of the following provisions of the EPPR:

- section 23;
- section 31(4)(c);
- section 32(3)(a);
- section 34(4)(c) and (g)(vi);
- section 35(4)(f);
- section 36(3)(b), (4)(e) and (5)(c);
- section 37(6)(a)(ii)(D);
- section 40(5)(d)(vi), (e) and (g);
- section 55(e);
- section 62;
- section 75(3)(c);
- section 90.

Other permanent exemptions

6(1) The Plan is exempt from the application of section 49(5)(d)(ii) of the EPPR on the condition that an actuarial valuation report and a cost certificate must include a calculation of the Plan's solvency deficiency, if any.

(2) The Plan is exempt from the application of section 49(7)(b) of the EPPR as it applies to a solvency deficiency.

(3) The Plan is exempt from the application of section 151 of the EPPR as it applies to the filing fee required upon the registration of the Plan; however, section 151 applies in respect of the calculation of the fee referred to in section 47(3) of the EPPR.

Temporary exemptions

7(1) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 9(5) of the EPPR on the condition that, if the payment or transfer of a benefit under a benefit formula provision occurs more than 365 days after the date on which the commuted value of the benefit was determined, the commuted value of the benefit must be re-determined as at a date that is not more than 30 days before the date of the payment or transfer of that benefit.

(2) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 76(4) of the EPPR to the extent that it requires the use of Form 6 of Schedule 6 to the EPPR on the condition that the statement required under this exemption must be substantially in the form used for the Plan immediately before the transition date for generally the same purpose as set out in section 71(6) of the EPPA.

(3) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of

- (a) section 81(5) of the EPPR, and
- (b) section 83(2) of the EPPR as it applies to the division of a pension in accordance with section 81(5)

on the condition that, where a pension has already commenced to be paid to a member pension partner, the non-member pension partner's share is to be paid directly to the non-member pension partner in the form of a pension which, for the purposes of the Plan, is a portion of the member pension partner's pension and the member pension partner shall receive the remaining balance of the pension as the member pension partner's share of the pension.

(4) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 82(14) of the EPPR on the condition that, if the non-member pension partner's share is a benefit determined with reference to a benefit formula provision of the plan text document, and if the payment or transfer of the non-member pension partner's share occurs more than 365 days after the date on which the commuted value of the benefit was determined, the commuted value of the benefit must be re-determined as at a date that is not more than 30 days before the date of the payment or transfer of that benefit.

(5) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 85 of the EPPR to the extent that it requires the use of Form 5 of Schedule 6 to the EPPR on the condition that the statement required under this exemption must be substantially in the form used for the Plan immediately before the

transition date for generally the same purpose as set out in section 89(1)(b) of the EPPA.

(6) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 86(1) and (2) of the EPPR to the extent that it requires the use of Form 4 and Form 9 of Schedule 6 to the EPPR on the condition that the statements required under this exemption must be substantially in the form used for the Plan immediately before the transition date for generally the same purpose as set out,

(a) in the case of section 86(1), in section 90(4)(a) of the EPPA, and

(b) in the case of section 86(2), in section 90(6) of the EPPA.

(7) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 142(c)(ii) of the EPPR as it applies to the deceased member's pension partner's signing of a waiver in Form 5 or Form 9 of Schedule 6 to the EPPR on the condition that the waivers signed in respect of the matters referred to in Form 5 or Form 9, as applicable, must be substantially in the form used for the Plan immediately before the transition date.

Schedule 3

Special Forces Pension Plan

Part 1

EPPA Exemptions

Permanent exemption without conditions

1 The Plan is exempt from the application of the following provisions of the EPPA:

section 52(3);
section 56(3) and (5);
section 67(1);
section 71(3)(a);
section 74(3) and (4);
section 114;
section 127.

Other permanent exemptions

2(1) The Plan is exempt from the application of section 1(1)(ss)(ii) of the EPPA on the condition that "pension commencement date" means, in relation to a surviving pension partner, the earlier of

(a) the date of the member's death, and

- (b) the last date on which the surviving pension partner is allowed, under the *Income Tax Act* (Canada), to start receiving a pension from a registered pension plan.

(2) The Plan is exempt from the application of section 1(2) of the EPPA on the condition that the actuarial present value of benefits that a person is or may become entitled to receive under a defined benefit provision of the Plan must be determined in the manner set out in the plan text document, which must be

- (a) in accordance with either
 - (i) the standards of practice issued by the Canadian Institute of Actuaries, as amended from time to time, or
 - (ii) the actuarial assumptions used in the current actuarial valuation report to determine the going concern liabilities value of the Plan or any simplified actuarial assumptions that reasonably reflect the actuarial assumptions used in the current actuarial valuation report to determine the going concern liabilities value of the Plan,

and

- (b) on the basis of actuarial assumptions and methods that are appropriate and in accordance with accepted actuarial practice.

(3) The Plan is exempt from the application of section 29(1) of the EPPA on the condition that an employee of a participating employer who falls within a class of employees for whom the Plan is maintained is entitled under the plan text document to become a member of the Plan if

- (a) the aggregate of the employee's regularly scheduled hours of work with the participating employer is not less than 30 hours per week, and
- (b) no date or event has been established for the termination of the employee's employment other than by reference to the attainment of a mandatory retirement age.

(4) The Plan is exempt from the application of section 32(1) of the EPPA as it applies to a member's termination of active membership in the Plan while the member is employed in Alberta in employment other than federally regulated employment on the condition that the plan text document must

- (a) establish a vesting period of the earlier of

- (i) the member attaining 65 years of age while an active member, or
- (ii) either
 - (A) the member having completed at least 5 years consisting of a period or periods indicated in the plan text document as counting toward vesting, or
 - (B) the member having completed at least 2 years consisting of a period or periods indicated in the plan text document as counting toward vesting,

and

- (b) if the member's pension has not vested at the time of the member's termination, authorize the member, in relation to the member's contributions to the Plan up to the date of the member's termination, to
 - (i) receive or transfer from the Plan an amount equal to those contributions, with interest, or
 - (ii) transfer an amount from the Plan to another pension plan as permitted by and in accordance with a pension transfer agreement.

(5) The Plan is exempt from the application of section 36(1) of the EPPA as it applies to the Corporation in respect of

- (a) a participating employer in the Plan on the transition date, or
- (b) a successor employer who becomes a participating employer in the Plan after the transition date under section 28 of Schedule 3 to the JGA.

(6) The Plan is exempt from the application of section 48 of the EPPA as it applies in respect of

- (a) a participating employer in the Plan on the transition date, or
- (b) a successor employer who becomes a participating employer in the Plan after the transition date under section 28 of Schedule 3 to the JGA.

(7) The Plan is exempt from the application of section 70 of the EPPA as it applies to contributions made entirely by a member to secure improvements in, or to purchase, benefits related to past service before or after the initial legislation date, excluding contributions received by the Plan on a locked-in basis, on the condition that, on the member's

termination of active membership in the Plan, and provided that the member's pension has vested and the member has not reached the member's pension commencement date, the plan text document must allow the member to

- (a) receive or transfer from the Plan an amount equal to those contributions, with interest, or
- (b) transfer those contributions, with interest, from the Plan to another pension plan in accordance with a pension transfer agreement.

(8) The Plan is exempt from the application of section 70 of the EPPA as it applies to a member's contributions to the Plan in relation to service prior to 1992 on the condition that, on the member's termination of active membership in the Plan, and provided that the member's pension has vested, the plan text document must allow the member to

- (a) receive or transfer from the Plan an amount equal to those contributions, with interest, or
- (b) transfer an amount from the Plan to another pension plan as permitted by and in accordance with a pension transfer agreement.

(9) The Plan is exempt from the application of section 70 of the EPPA as it applies to any part or all of an amount determined in the same manner as required under the rules set out in section 57(2) and (3) of the EPPA on the condition that, if the plan text document requires the determination, and allocation or distribution, of the amount or part, then

- (a) the amount or part must be allocated or distributed in the same manner as required under the rules set out in section 57(4) and (6) of the EPPA,
- (b) a provision of the plan text document that has the same effect as section 57(5) of the EPPA applies,
- (c) subject to clause (b), any allocation or distribution of the amount or part in the same manner as required under the rules set out in section 57(4) of the EPPA must be made on a date that is the same date as required under section 71(1) of the EPPR, and
- (d) any interest calculated on the amount or part must be in respect of a period that is the same period as required under section 73(4) of the EPPR.

(10) The Plan is exempt from the application of section 71(1) of the EPPA on the condition that the plan text document must provide that a deferred member or, if the deferred member is deceased, the deferred member's surviving pension partner, is entitled to receive payment of a lump sum amount equal to the total of the commuted value of the benefit to which the deferred member or surviving pension partner is entitled under the Plan if the lump sum amount is less than 4% of the Year's Maximum Pensionable Earnings for the calendar year in which the most recent determination of the amount of the lump sum occurred.

(11) The Plan is exempt from the application of section 74(1)(a) and (b) of the EPPA as it applies to a transfer of the assets of the Plan to another pension plan if, and to the extent that, the transfer is authorized under this Regulation.

(12) The Plan is exempt from the application of section 76(1)(b) of the EPPA on the condition that, if the plan text document provides that a member may elect to have the member's pension payments increased for the period prescribed in section 77(1) of the EPPR by an amount determined, directly or indirectly, by reference to any amounts payable under the CPP Act, then the plan text document must also provide that such an election may be made only if

- (a) the election is made on or before the member's pension commencement date, and
- (b) the monthly pension payments payable to the member after the increased benefits and any increased benefits elected by the member in relation to the OAS Act have ceased are not less than 1/12 of 4% of the Year's Maximum Pensionable Earnings for the calendar year in which the most recent determination of the amount of the member's increased pension payments occurred.

(13) The Plan is exempt from the application of section 76(3) of the EPPA on the condition that, if the plan text document provides that a member may elect to have the member's pension payments increased for the period prescribed in section 77(1) of the EPPR by an amount determined, directly or indirectly, by reference to any amounts payable under the OAS Act, then the plan text document must also provide that such an election may be made only if

- (a) the election is made on or before the member's pension commencement date, and
- (b) the monthly pension payments payable to the member after the increased benefits and any increased benefits elected by the member in relation to the CPP Act have ceased are not less than 1/12 of 4% of the Year's Maximum Pensionable Earnings for the calendar year in which the most recent

determination of the amount of the member's increased pension payments occurred.

(14) The Plan is exempt from the application of section 76(4) of the EPPA on the condition that, if the plan text document provides for the reduction of a pension because of a member's entitlement to any payments under the CPP Act or the OAS Act or both, as the case may be, the reduction must not exceed the maximum CPP pension or the maximum OAS pension, or both, as the case may be, as of the member's pension commencement date.

(15) The Plan is exempt from the application of section 89(1)(a)(i) of the EPPA as it applies to a benefit to a surviving pension partner resulting from contributions made in respect of service before 1992; however, section 59 of the former *Special Forces Pension Plan* (AR 369/93) applies to that benefit as if that Regulation had remained in force.

(16) The Plan is exempt from the application of section 97(a) of the EPPA as it applies to the transfer of the portion of a benefit earned in relation to service prior to 1992 on the condition that, on the member's termination of active membership in the Plan, and provided that the member's pension has vested, the plan text document must, in relation to the member's contributions to the Plan relating to the portion of the benefit earned in relation to service prior to 1992, allow the member to

- (a) receive or transfer from the Plan an amount equal to those contributions, with interest, or
- (b) transfer an amount from the Plan to another pension plan as permitted by and in accordance with a pension transfer agreement.

(17) The Plan is exempt from the application of sections 136(8), 138(5) and 143(4) of the EPPA as they apply to an administrative penalty, expense or fine, or any portion of an administrative penalty, expense or fine, imposed on the Corporation, AIMCo or APS.

Temporary exemption without conditions

3 For the period of 2 years commencing on the transition date, the Plan is exempt from the application of sections 42 and 44 of the EPPA.

Other temporary exemptions

4(1) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 10(1)(a) of the EPPA as it applies to the use of mortality tables in the calculation of the contributions required to be made by a member to secure improvements in, or to purchase, benefits related to past service on the condition that gender distinct mortality tables are used in the calculations.

(2) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 10(1)(b) of the EPPA as it applies to the use of mortality tables in the calculation of pensions and benefits on the condition that gender distinct mortality tables are used in the calculations.

(3) For the period of 5 years commencing on the transition date, the Plan is exempt from the application of section 35(7) of the EPPA as it applies to the role of AIMCo and APS under section 16(1) and (2) of Schedule 3 to the JGA.

(4) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 37(1) of the EPPA on the condition that the Corporation must continue the statement and disclosure practices, including with respect to form and timing, existing immediately before the transition date in respect of the Plan until the Corporation is able to comply with section 37(1) of the EPPA and the corresponding provisions of the EPPR.

(5) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 37(2) and (4) of the EPPA to the extent that a person, participating employer or union has requested access to information or a record that is not available and the provision of which is subject to the temporary exemption set out in subsection (4); however, the Corporation must comply with the request if the person, participating employer or union is entitled to the information or records under section 37(1) of the EPPA and the requested information or record is available.

(6) For the period of one year commencing on the transition date, the Plan is exempt from the application of section 43 of the EPPA on the condition that, during the term of this exemption, the Corporation continues to use the general policy guidelines concerning the investment and management of the pension fund that were in place immediately prior to the transition date.

(7) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 62(3)(a) of the EPPA as it applies to Plan assets held for the purpose of paying benefits under the EPPA on the condition that such Plan assets are held in an account in the name of the Crown in right of Alberta, which may be intermingled with assets of other pension plans administered by the Crown in right of Alberta or a Corporation.

Part 2 EPPR Exemptions

Permanent exemption without conditions

5 The Plan is exempt from the application of the following provisions of the EPPR:

section 23;
section 31(4)(c);
section 32(3)(a);
section 34(4)(c) and (g)(vi);
section 35(4)(f);
section 36(3)(b), (4)(e) and (5)(c);
section 37(6)(a)(ii)(D);
section 40(5)(d)(vi), (e) and (g);
section 55(e);
section 62;
section 75(3)(c);
section 90.

Other permanent exemptions

6(1) The Plan is exempt from the application of section 49(5)(d)(ii) of the EPPR on the condition that an actuarial valuation report and a cost certificate must include a calculation of the Plan's solvency deficiency, if any.

(2) The Plan is exempt from the application of section 49(7)(b) of the EPPR as it applies to a solvency deficiency.

(3) The Plan is exempt from the application of section 151 of the EPPR as it applies to the filing fee required upon the registration of the Plan; however, section 151 applies in respect of the calculation of the fee referred to in section 47(3) of the EPPR.

Temporary exemptions

7(1) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 9(5) of the EPPR on the condition that, if the payment or transfer of a benefit under a benefit formula provision occurs more than 365 days after the date on which the commuted value of the benefit was determined, the commuted value of the benefit must be re-determined as at a date that is not more than 30 days before the date of the payment or transfer of that benefit.

(2) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 76(4) of the EPPR to the extent that it requires the use of Form 6 of Schedule 6 to the EPPR on the condition that the statement required under this exemption must be substantially in the form used for the Plan immediately before the transition date for generally the same purpose as set out in section 71(6) of the EPPA.

(3) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of

(a) section 81(5) of the EPPR, and

- (b) section 83(2) of the EPPR as it applies to the division of a pension in accordance with section 81(5)

on the condition that, where a pension has already commenced to be paid to a member pension partner, the non-member pension partner's share is to be paid directly to the non-member pension partner in the form of a pension which, for the purposes of the Plan, is a portion of the member pension partner's pension and the member pension partner shall receive the remaining balance of the pension as the member pension partner's share of the pension.

(4) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 82(14) of the EPPR on the condition that, if the non-member pension partner's share is a benefit determined with reference to a benefit formula provision of the plan text document, and if the payment or transfer of the non-member pension partner's share occurs more than 365 days after the date on which the commuted value of the benefit was determined, the commuted value of the benefit must be re-determined as at a date that is not more than 30 days before the date of the payment or transfer of that benefit.

(5) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 85 of the EPPR to the extent that it requires the use of Form 5 of Schedule 6 to the EPPR on the condition that the statement required under this exemption must be substantially in the form used for the Plan immediately before the transition date for generally the same purpose as set out in section 89(1)(b) of the EPPA.

(6) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 86(1) and (2) of the EPPR to the extent that it requires the use of Form 4 and Form 9 of Schedule 6 to the EPPR on the condition that the statements required under this exemption must be substantially in the form used for the Plan immediately before the transition date for generally the same purpose as set out,

- (a) in the case of section 86(1), in section 90(4)(a) of the EPPA, and

- (b) in the case of section 86(2), in section 90(6) of the EPPA.

(7) For the period of 2 years commencing on the transition date, the Plan is exempt from the application of section 142(c)(ii) of the EPPR as it applies to the deceased member's pension partner's signing of a waiver in Form 5 or Form 9 of Schedule 6 to the EPPR on the condition that the waivers signed in respect of the matters referred to in Form 5 or Form 9, as applicable, must be substantially in the form used for the Plan immediately before the transition date.

Alberta Regulation 4/2019
Public Sector Pension Plans Act
LOCAL AUTHORITIES PENSION PLAN AMENDMENT
AND REPEAL REGULATION

Filed: January 22, 2019

For information only: Made by the Lieutenant Governor in Council (O.C. 005/2019) on January 22, 2019 pursuant to Schedule 1, section 4 of the Public Sector Pension Plans Act.

1 The *Local Authorities Pension Plan (AR 366/93)* is amended by this Regulation.

2 The following is added after section 10:

Participating employers

10.1 Notwithstanding any other provision of this Regulation, and with a view to the Plan transitioning to joint governance pursuant to the *Joint Governance of Public Sector Pension Plans Act*, the organizations set out in Schedule 3 are, as of the effective date of this section, the participating employers in the Plan, but, for greater certainty, in each case only in respect of the organization's eligible employees described in sections 10, 11 and 11.1 and any other individuals employed by the organization and on whose behalf the organization is making contributions to the Plan.

3 The following is added after Schedule 2:

Schedule 3

Participating Employers
(Section 10.1)

ABC Benefits Corporation
Alberta Capital Region Wastewater Commission
The Alberta Catholic School Trustees' Association
Alberta Health Services
Alberta Irrigation Projects Association
The Alberta Library
Alberta Public Laboratories Ltd.
Alberta School Boards Association
Alberta Urban Municipalities Association
Alberta's Industrial Heartland Association
Aquatea Utilities Inc.
Aspen Regional Water Services Commission

Aspire Special Needs Resource Centre
Athabasca County
Athabasca Regional Multiplex Society
Athabasca Regional Waste Management Services Commission
Attainable Homes Calgary Corporation
Barons-Eureka-Warner Family and Community Support Services
Beaver County
Beaver Foundation
Beaver Regional Waste Management Services Commission
Bethany Care Society
Bethany Nursing Home of Camrose, Alberta
(also known as The Bethany Group)
Big Country Waste Management Services Commission
Big Lakes County
Birch Hills County
The Board of Governors of Alberta College of Art and Design
(also known as Alberta College of Art and Design)
The Board of Governors of Grande Prairie Regional College
(also known as Grande Prairie Regional College)
The Board of Governors of Grant MacEwan University
(also known as Grant MacEwan University)
The Board of Governors of Keyano College
(also known as Keyano College)
The Board of Governors of Lakeland College
(also known as Lakeland College)
The Board of Governors of Lethbridge College
(also known as Lethbridge College)
The Board of Governors of Medicine Hat College
(also known as Medicine Hat College)
The Board of Governors of Mount Royal University
(also known as Mount Royal University)
The Board of Governors of Olds College
(also known as Olds College)
The Board of Governors of Red Deer College
(also known as Red Deer College)
Board of Governors of the Northern Alberta Institute of Technology
(also known as Northern Alberta Institute of Technology)
Board of Governors of the Southern Alberta Institute of Technology
(also known as Southern Alberta Institute of Technology)
The Board of the Northland School Division No. 61
(also known as Northland School Division No. 61)
The Board of Trustees of the Aspen View Public School Division No. 78
(also known as Aspen View Public School Division No. 78)
The Board of Trustees of the Battle River Regional Division No. 31
(also known as Battle River School Division)

The Board of Trustees of the Black Gold Regional Division No. 18
(also known as Black Gold Regional Schools)

The Board of Trustees of the Buffalo Trail Public Schools Regional
Division No. 28 (also known as Buffalo Trail Public Schools)

The Board of Trustees of the Calgary Roman Catholic Separate School
District No. 1 (also known as Calgary Catholic School District)

The Board of Trustees of the Calgary School District No. 19
(also known as Calgary Board of Education)

The Board of Trustees of the Canadian Rockies Regional Division No. 12
(also known as Canadian Rockies Public Schools)

The Board of Trustees of the Chinook's Edge School Division No. 73
(also known as Chinook's Edge School Division)

The Board of Trustees of the Christ the Redeemer Catholic Separate Regional
Division No. 3 (also known as Christ the Redeemer Catholic Schools)

The Board of Trustees of the Clearview School Division No. 71
(also known as Clearview Public Schools)

The Board of Trustees of the East Central Alberta Catholic Separate
Schools Regional Division No. 16 (also known as East Central Alberta
Catholic Schools)

The Board of Trustees of the Edmonton Catholic Separate School
District No. 7 (also known as Edmonton Catholic Schools)

The Board of Trustees of the Edmonton School District No. 7
(also known as Edmonton Public Schools)

The Board of Trustees of the Elk Island Catholic Separate Regional
Division No. 41 (also known as Elk Island Catholic Schools)

The Board of Trustees of the Elk Island Public Schools Regional
Division No. 14 (also known as Elk Island Public Schools)

The Board of Trustees of the Evergreen Catholic Separate Regional
Division No. 2 (also known as Evergreen Catholic Schools)

The Board of Trustees of the Foothills School Division No. 38
(also known as Foothills School Division)

The Board of Trustees of the Fort McMurray Public School
District No. 2833 (also known as Fort McMurray Public Schools)

The Board of Trustees of the Fort McMurray Roman Catholic Separate
School District No. 32 (also known as Fort McMurray Catholic Schools)

The Board of Trustees of the Fort Vermilion School Division No. 52
(also known as Fort Vermilion School Division)

The Board of Trustees of the Golden Hills School Division No. 75
(also known as Golden Hills School Division)

The Board of Trustees of the Grande Prairie Roman Catholic Separate School
District No. 28 (also known as Grande Prairie Catholic School District)

The Board of Trustees of the Grande Prairie School District No. 2357
(also known as Grande Prairie Public School District)

The Board of Trustees of the Grande Yellowhead Public School Division
No. 77 (also known as Grande Yellowhead Public School Division)

The Board of Trustees of the Grasslands Regional Division No. 6
(also known as Grasslands Public Schools)

The Board of Trustees of The Greater St. Albert Roman Catholic Separate School District No. 734 (also known as Greater St. Albert Catholic Schools)

The Board of Trustees of the High Prairie School Division No. 48 (also known as High Prairie School Division)

The Board of Trustees of the Holy Family Catholic Regional Division No. 37 (also known as Holy Family Catholic Regional Division)

The Board of Trustees of the Holy Spirit Roman Catholic Separate Regional Division No. 4 (also known as Holy Spirit Catholic Schools)

The Board of Trustees of the Horizon School Division No. 67 (also known as Horizon School Division)

The Board of Trustees of the Lethbridge School District No. 51 (also known as Lethbridge School District No. 51)

The Board of Trustees of the Living Waters Catholic Regional Division No. 42 (also known as Living Waters Catholic Schools)

The Board of Trustees of the Livingstone Range School Division No. 68 (also known as Livingstone Range School Division)

The Board of Trustees of the Medicine Hat Roman Catholic Separate School District No. 21 (also known as Medicine Hat Catholic Board of Education)

The Board of Trustees of the Medicine Hat School District No. 76 (also known as Medicine Hat Public School Division)

The Board of Trustees of the Northern Gateway Regional Division No. 10 (also known as Northern Gateway Public Schools)

The Board of Trustees of the Northern Lights School Division No. 69 (also known as Northern Lights Public Schools)

The Board of Trustees of the Palliser Regional Division No. 26 (also known as Palliser Regional Schools)

The Board of Trustees of the Parkland School Division No. 70 (also known as Parkland School Division)

The Board of Trustees of the Peace River School Division No. 10 (also known as Peace River School Division)

The Board of Trustees of the Peace Wapiti School Division No. 76 (also known as Peace Wapiti Public School Division)

The Board of Trustees of the Pembina Hills Regional Division No. 7 (also known as Pembina Hills Public Schools)

The Board of Trustees of the Prairie Land Regional Division No. 25 (also known as Prairie Land Regional Division No. 25)

The Board of Trustees of the Prairie Rose School Division No. 8 (also known as Prairie Rose School Division)

The Board of Trustees of the Red Deer Catholic Regional Division No. 39 (also known as Red Deer Catholic Regional Schools)

The Board of Trustees of the Red Deer Public School District No. 104 (also known as Red Deer Public School District)

The Board of Trustees of the Rocky View School Division No. 41 (also known as Rocky View Schools)

The Board of Trustees of The St. Albert Public School District No. 5565 (also known as St. Albert Public Schools)

The Board of Trustees of the St. Paul Education Regional Division No. 1
(also known as St. Paul Education Regional Division No. 1)
The Board of Trustees of the Sturgeon School Division No. 24
(also known as Sturgeon Public School Division)
The Board of Trustees of the Westwind School Division No. 74
(also known as Westwind School Division)
The Board of Trustees of the Wetaskiwin Regional Division No. 11
(also known as Wetaskiwin Regional Public Schools)
The Board of Trustees of the Wild Rose School Division No. 66
(also known as Wild Rose School Division)
The Board of Trustees of the Wolf Creek School Division No. 72
(also known as Wolf Creek Public Schools)
Bow River Irrigation District
Bow Valley Regional Transit Services Commission
Brazeau County
Brazeau Seniors Foundation
The Business Link Business Service Centre
The Calgary Convention Centre Authority
Calgary Metropolitan Region Board
Camrose & District Support Services
Camrose County
Capital Care Group Inc.
Capital Power Corporation
Capital Region Housing Corporation
Cardston County
Carewest
Central Peace Fire and Rescue Commission
Chief Mountain Regional Solid Waste Authority
The Chinook Arch Library Board
(also known as Chinook Arch Regional Library System)
Chinook Foundation
Chinook Regional Hospital Foundation
City of Airdrie
City of Beaumont
City of Brooks
The City of Brooks Library Board
(also known as Brooks Public Library)
City of Calgary
The City of Calgary Library Board
(also known as Calgary Public Library)
City of Camrose
The City of Camrose Library Board
(also known as Camrose Public Library)
City of Chestermere
City of Cold Lake

The City of Cold Lake Library Board
(also known as Cold Lake Public Library)
City of Edmonton
City of Fort Saskatchewan
The City of Fort Saskatchewan Library Board
(also known as Fort Saskatchewan Public Library)
City of Grande Prairie
The City of Grande Prairie Library Board
(also known as Grande Prairie Public Library)
City of Lacombe
City of Leduc
The City of Leduc Library Board
(also known as Leduc Public Library)
City of Lethbridge
City of Medicine Hat
City of Red Deer
The City of Red Deer Library Board
(also known as Red Deer Public Library)
City of Spruce Grove
City of St. Albert
City of Wetaskiwin
The City of Wetaskiwin Library Board
(also known as Wetaskiwin Public Library)
Clear Hills County
Clearwater County
Cold Lake Ambulance Society
Community Futures Elk Island Region
Connect Charter School Society
(also known as Connect Charter School)
County of Barrhead No. 11
County of Grande Prairie No. 1
The County of Forty Mile No. 8
County of Minburn No. 27
County of Newell
County of Northern Lights
County of Paintearth No. 18
County of St. Paul No. 19
County of Stettler Housing Authority
The County of Stettler No. 6
County of Two Hills No. 21
County of Vermilion River
The County of Warner No. 5
County of Wetaskiwin No. 10
Covenant Foundation
Covenant Health

Crowsnest Pass Housing Corporation
Cypress County
Cypress View Foundation
Drumheller & District Solid Waste Management Association
East Central Ambulance Association
Eastern Irrigation District
Edmonton Economic Development Corporation
Edmonton Metropolitan Region Board
Edmonton Northlands
Epcor Utilities Inc.
Evergreens Foundation
The FFCA Charter School Society
(also known as Foundations For The Future Charter Academy)
Flagstaff County
Flagstaff Family and Community Services Board
Flagstaff Regional Solid Waste Management Association
Foothills County
Fort McMurray Airport Authority
Forty Mile Foundation
Glenrose Rehabilitation Hospital Foundation
The Good Samaritan Society (A Lutheran Social Service Organization)
Grande Prairie Airport Commission
Grande Prairie Regional Hospital Foundation
The Gray House Guild
Greater Edmonton Foundation
Greenview Regional Waste Management Commission
Health Quality Council of Alberta
Heartland Housing Foundation
Henry Kroeger Regional Water Services Commission
Highway 14 Regional Water Services Commission
Kneehill County
Kneehill Housing Corporation
Lac La Biche County
The Lac La Biche County Library Board
(also known as Lac La Biche County Libraries)
Lac Ste. Anne County
Lacombe County
Lacombe Regional Waste Services Commission
Lamont County
Lamont Health Care Centre
Leduc County
Leduc Foundation
Lethbridge County
Lethbridge Housing Authority
Lethbridge Northern Irrigation District

MD of St. Paul Foundation
Mackenzie County
Mackenzie Municipal Services Agency
Mackenzie Regional Waste Management Commission
Marquis Foundation
Meridian Foundation
(also known as Meridian Housing Foundation)
Mountain View County
Mountain View Regional Water Services Commission
Municipal District of Acadia No. 34
Municipal District of Bighorn No. 8
Municipal District of Bonnyville No. 87
Municipal District of Fairview No. 136
Municipal District of Greenview No. 16
Municipal District of Lesser Slave River No. 124
Municipal District of Opportunity No. 17
Municipal District of Peace No. 135
Municipal District of Pincher Creek No. 9
Municipal District of Provost No. 52
Municipal District of Smoky River No. 130
Municipal District of Spirit River No. 133
Municipal District of Taber
Municipal District of Wainwright No. 61
Municipal District of Willow Creek No. 26
Municipality of Crowsnest Pass
Municipality of Jasper
Newell Regional Services Corporation
North Peace Regional Landfill Commission
Northern Lights Regional Health Foundation
Northern Sunrise County
Oldman River Regional Services Commission
Palliser Regional Municipal Services Company Limited
Parkland Community Planning Services
Parkland County
The Parkland County Library Board
(also known as Parkland County Libraries)
The Parkland Library Board
(also known as Parkland Regional Library)
Peace Regional Waste Management Company
Ponoka County
Provost Senior Citizens Home Foundation
Public School Boards' Association of Alberta
Raymond Irrigation District
Red Deer and District Museum Society
Red Deer County

The Regional authority of Greater North Central Francophone Education
Region No. 2 (also known as Conseil scolaire Centre-Nord)
The Regional authority of the Southern Francophone Education
Region No. 4 (also known as Conseil scolaire FrancoSud)
Regional Municipality of Wood Buffalo
The Regional Municipality of Wood Buffalo Library Board
(also known as Wood Buffalo Regional Library)
Rocky View County
Rocky View Foundation
The Royal Alexandra Hospital Foundation
Rural Municipalities of Alberta
Saddle Hills County
Saskatchewan Health Authority
Shepherd's Care Foundation
The Shortgrass Library Board
(also known as the Shortgrass Library System)
Silvera for Seniors
Smoky Lake County
Society of Friends of Chinook Regional Hospital
St. Mary River Irrigation District
St. Michael's Extended Care Centre Society
St. Paul & District Ambulance Service Society
Starland County
Stettler District Ambulance Association
Stettler Waste Management Authority
Stollery Children's Hospital Foundation
Strathcona County
Sturgeon County
Summer Village of Grandview
Summer Village of Silver Beach
Taber Irrigation District
Teachers' Pension Plan Board of Trustees
(also known as Alberta Teachers' Retirement Fund Board)
Thorhild County
Town of Athabasca
Town of Banff
Town of Barrhead
Town of Bashaw
Town of Beaverlodge
Town of Blackfalds
The Town of Blackfalds Library Board
(also known as Blackfalds Public Library)
Town of Bonnyville
Town of Bow Island
Town of Bowden

Town of Cardston
Town of Carstairs
Town of Castor
Town of Claresholm
Town of Coaldale
Town of Coalhurst
Town of Cochrane
Town of Coronation
Town of Crossfield
Town of Daysland
Town of Devon
Town of Didsbury
Town of Drumheller
Town of Eckville
Town of Edson
The Town of Edson Library Board
(also known as Edson & District Public Library)
Town of Elk Point
Town of Fairview
Town of Fort Macleod
Town of Fox Creek
Town of Grande Cache
Town of Grimshaw
Town of Hanna
Town of Hardisty
Town of High River
Town of Hinton
Town of Innisfail
Town of Killam
The Town of Lamont
Town of Legal
Town of Magrath
Town of Manning
Town of Mayerthorpe
Town of McLennan
Town of Millet
Town of Morinville
Town of Nobleford
Town of Okotoks
Town of Olds
Town of Oyen
Town of Peace River
Town of Penhold
Town of Picture Butte
Town of Pincher Creek

Town of Ponoka
Town of Provost
Town of Rainbow Lake
Town of Raymond
Town of Redcliff
Town of Redwater
Town of Rimbey
Town of Rocky Mountain House
The Town of Rocky Mountain House Library Board
(also known as Rocky Mountain House Public Library)
Town of Sedgewick
Town of Sexsmith
Town of Slave Lake
Town of Smoky Lake
Town of St. Paul
Town of Stavely
Town of Stettler
Town of Stony Plain
Town of Strathmore
The Town of Strathmore Library Board
(also known as Strathmore Library)
Town of Sundre
The Town of Sundre Library Board
(also known as Sundre Municipal Library)
Town of Swan Hills
Town of Sylvan Lake
The Town of Sylvan Lake Library Board
(also known as Sylvan Lake Municipal Library)
Town of Taber
Town of Thorsby
Town of Three Hills
Town of Tofield
Town of Trochu
Town of Two Hills
Town of Valleyview
Town of Vauxhall
Town of Vegreville
Town of Vermilion
Town of Viking
Town of Vulcan
Town of Wainwright
Town of Wembley
Town of Westlock
Town of Whitecourt

The Town of Whitecourt Library Board
(also known as Whitecourt & District Public Library)
Tri-Municipal Leisure Facility Corporation
Trustees of the Alberta School Employee Benefit Plan
(also known as Alberta School Employee Benefit Plan)
University Hospital Foundation
Village of Acme
The Village of Alberta Beach Library Board
(also known as Alberta Beach Municipal Library)
Village of Alix
Village of Andrew
Village of Barons
Village of Berwyn
Village of Boyle
Village of Carmangay
Village of Cereal
Village of Champion
Village of Clyde
Village of Consort
Village of Cremona
Village of Delia
Village of Donalda
Village of Elnora
Village of Empress
Village of Forestburg
Village of Glendon
Village of Holden
Village of Hussar
Village of Hythe
Village of Irma
Village of Kitscoty
Village of Linden
Village of Lomond
Village of Lougheed
Village of Mannville
Village of Nampa
Village of Rycroft
Village of Ryley
Village of Stirling
Village of Wabamun
Village of Warburg
Village of Youngstown
Vulcan County
Vulcan District Waste Commission
Wainwright & District Family & Community Services

Waskasoo Environmental Education Society
West Central Planning Agency
Western Irrigation District
Westlock County
Westlock Regional Waste Management Commission
Westwinds Communities
Wheatland and Adjacent Districts Emergency Medical Services Association
Wheatland County
Wood Buffalo Housing & Development Corporation
Woodlands County
Yellowhead County
The Yellowhead County Library Board
The Yellowhead Library Board
(also known as Yellowhead Regional Library)

4 Schedule 3 is amended by striking out “The Board of Governors of Alberta College of Art and Design (also known as Alberta College of Art and Design)” **and substituting** “The Board of Governors of Alberta University of the Arts (also known as Alberta University of the Arts)”.

5 Section 4 comes into force on February 1, 2019.

6 The *Local Authorities Pension Plan (AR 366/93)* is repealed on the coming into force of section 5(2) of Schedule 4 to the *Joint Governance of Public Sector Pension Plans Act*.

Alberta Regulation 5/2019

Public Sector Pension Plans Act

**PUBLIC SERVICE PENSION PLAN AMENDMENT
AND REPEAL REGULATION**

Filed: January 22, 2019

For information only: Made by the Lieutenant Governor in Council (O.C. 007/2019) on January 22, 2019 pursuant to Schedule 2, section 4 of the Public Sector Pension Plans Act.

1 The *Public Service Pension Plan (AR 368/93)* is amended by this Regulation.

2 The following is added after section 10:

Participating employers

10.1 Notwithstanding any other provision of this Regulation, and with a view to the Plan transitioning to joint governance pursuant to the *Joint Governance of Public Sector Pension Plans Act*, the organizations set out in Schedule 3 are, as of the effective date of this section, the participating employers in the Plan, but, for greater certainty, in each case only in respect of the organization's eligible employees described in sections 10 and 11 and any other individuals employed by the organization and on whose behalf the organization is making contributions to the Plan.

3 The following is added after Schedule 2:

Schedule 3

**Participating Employers
(Section 10.1)**

Agriculture Financial Services Corporation
Alberta Energy Regulator
Alberta Gaming, Liquor and Cannabis Commission
Alberta Innovates
Alberta Investment Management Corporation
Alberta Local Authorities Pension Plan Corp.
Alberta Pensions Services Corporation
Alberta Securities Commission
The Alberta Union of Provincial Employees
Alberta Utilities Commission
ATB Financial
The Board of Governors of Bow Valley College
(also known as Bow Valley College)
The Board of Governors of NorQuest College
(also known as NorQuest College)
The Board of Governors of Northern Lakes College
(also known as Northern Lakes College)
The Board of Governors of Portage College
(also known as Portage College)
Board of Governors of The Banff Centre
(also known as Banff Centre for Arts and Creativity)
Government of Alberta
The Governors of Athabasca University
(also known as Athabasca University)
The Governors of The University of Alberta
(also known as The University of Alberta)
The Governors of The University of Calgary
(also known as The University of Calgary)

The Governors of The University of Lethbridge
(also known as The University of Lethbridge)
InnoTech Alberta Inc.
LAPP Corporation
Legislative Assembly Office
PSPP Corporation
SFPP Corporation
Special Areas Board
Travel Alberta
The Workers' Compensation Board

4 Schedule 3 is amended by striking out "Alberta Local Authorities Pension Plan Corp".

5 Section 4 comes into force immediately before the *Public Service Pension Plan (AR 368/93)* is repealed.

6 The *Public Service Pension Plan (AR 368/93)* is repealed on the coming into force of section 5(2) of Schedule 4 to the *Joint Governance of Public Sector Pension Plans Act*.

Alberta Regulation 6/2019

Public Sector Pension Plans Act

**SPECIAL FORCES PENSION PLAN AMENDMENT
AND REPEAL REGULATION**

Filed: January 22, 2019

For information only: Made by the Lieutenant Governor in Council (O.C. 009/2019) on January 22, 2019 pursuant to Schedule 4, section 4 of the Public Sector Pension Plans Act.

1 The *Special Forces Pension Plan (AR 369/93)* is amended by this Regulation.

2 The following is added after section 10:

Participating employers

10.1 Notwithstanding any other provision of this Regulation, and with a view to the Plan transitioning to joint governance pursuant to the *Joint Governance of Public Sector Pension Plans Act*, the organizations set out in Schedule 3 are, as of the effective date of

this section, the participating employers in the Plan, but, for greater certainty, in each case only in respect of the organization's eligible employees described in sections 10 and 11 and any other individuals employed by the organization and on whose behalf the organization is making contributions to the Plan.

3 The following is added after Schedule 2:

Schedule 3

Participating Employers

(Section 10.1)

City of Calgary
City of Camrose
City of Edmonton
City of Lacombe
City of Lethbridge
City of Medicine Hat
Town of Taber

4 The *Special Forces Pension Plan* (AR 369/93) is repealed on the coming into force of section 5(2) of Schedule 4 to the *Joint Governance of Public Sector Pension Plans Act*.

Alberta Regulation 7/2019

Public Sector Pension Plans Act

**MANAGEMENT EMPLOYEES PENSION PLAN
AMENDMENT REGULATION**

Filed: January 22, 2019

For information only: Made by the Lieutenant Governor in Council (O.C. 011/2019) on January 22, 2019 pursuant to Schedule 5, section 4 of the Public Sector Pension Plans Act.

1 The *Management Employees Pension Plan Regulation* (AR 367/93) is amended by this Regulation.

2 Section 2(1) is amended

(a) by repealing that portion of clause (p) following subclause (v) and substituting the following:

and includes a member of a corporation specified in Part 3 of Schedule 2 so long as that corporation is an employer, but does not include

(vi) a person to whom

(A) the Universities Academic Pension Plan applies, or

(B) the *Teachers' Pension Plans Act* or the *Provincial Judges and Masters in Chambers Registered and Unregistered Pension Plans Regulation* (AR 196/2001) applies,

or

(vii) a member of the Legislative Assembly of Alberta;

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

(kk) "related plan" means the Public Service Pension Plan;

3 Section 10(1) is amended

(a) in clause (c)(i) by striking out "other";

(b) in clause (k)(ii) by adding "(repealed)" after "10(1)(k)(i)";

(c) in clause (n) by adding "(repealed)" after "19.2(c)".

4 The following provisions are amended by striking out "of Finance" wherever it occurs:

section 12;
section 17(1);
section 23(3), (4);
section 28;
section 106;
section 111;
section 112.

5 Schedule 2 is repealed and the following is substituted:

Schedule 2

(Sections 2(1)(p) and 10)

Part 1

The corporations referred to in section 10(1)(b) are

- (a) LAPP Corporation,
- (b) PSPP Corporation, and
- (c) SFPP Corporation.

Part 2

The Provincial corporations, Provincial committees and other public bodies referred to in section 10(1)(c) are

- (a) Agriculture Financial Services Corporation,
- (b) Alberta Energy Regulator,
- (c) Alberta Gaming, Liquor and Cannabis Commission,
- (d) Alberta Innovates,
- (e) Alberta Pensions Services Corporation,
- (f) Alberta Utilities Commission,
- (g) The Board of Governors of Bow Valley College
(also known as Bow Valley College),
- (h) The Board of Governors of NorQuest College
(also known as NorQuest College),
- (i) The Board of Governors of Northern Lakes College
(also known as Northern Lakes College),
- (j) The Board of Governors of Portage College
(also known as Portage College),
- (k) InnoTech Alberta Inc.,
- (l) Natural Resources Conservation Board,
- (m) Travel Alberta, and
- (n) The Workers' Compensation Board.

Part 3

The corporations referred to in section 2(1)(p) are

- (a) Alberta Energy Regulator,
- (b) Alberta Gaming, Liquor and Cannabis Commission,
- (c) Alberta Utilities Commission, and
- (d) The Workers' Compensation Board.

6 The provisions referred to in Column 1 of the following table are amended by striking out the term referred to in Column 2 wherever it occurs and substituting the term referred to in Column 3:

Column 1	Column 2	Column 3
Provisions in the Regulation	Terms to be struck out	Terms to be substituted
2(1)(h.1)	he	the person
2(1)(p)(ii)	his employment	the person's employment
2(1)(p)(ii)	to his	to the employer's
2(1)(p)(ii)	him	the employer
2(1)(v)(i)	his	the participant's
2(1)(v)	he	the participant
2(1)(w)	his	the participant's
2(1)(w)	he	the participant
2(1)(ll)(ii)	he	the employee
3(1)	him	him or her
3(5)	he	the person
3(6)	he	the employer
5(b)	he	the participant
11(a), (d), (d.1)	his	his or her
13(1)	his	his or her
13(1)	him	the participant
13(1)	he	the participant
13(2)	he	the employer
14(1)	he	the participant

14(3), (4), (5)	he	the person
16(2)	his	his or her
23(3)	his	his or her
23(3)	him	the participant
23(5), (6)	he	the person
24(1)	he	the person
25(1)	his	the participant's
25	he	the participant
27	he	the person
29(1)(b)(i)	his	the person's
29(1)(c)	him	the person
30(1)(c)	him	the person
36(1)	his	the person's
36(1)	he	the person
36(2)	he	the pensioner
36(2)	his	his or her
38(1)(a)	his	the pensioner's
38(1)(f)	he	the pensioner
40	his	his or her
41(1)(b)	he	the person
41(2)	his	his or her
41(2)(b)	he	the person
42	he	the person
42(1), (2)	his	the person's
43(1)	his	the person's
45	his	the deceased's
47(1)	his	the person's
47(2)	he	the pensioner
47(2)	his	his or her
50(1)	his	the person's
50(1)	he	he or she
50(1)	him	the person
52(2)	his	the person's
52(2)	him	the person
52(2)	he	he or she

53	he	the person
53(1), (2)	his	the person's
54(1)	his	the person's
54(3.1)	he	the person
54(3.1)	him	him or her
56.1	he	the person
56.1	his	the person's
63	his	the deceased's
69(c)	his	the person's
69(d)	he	the person
72(c)	his	the person's
72(d)	he	the person
73(c)	his	the person's
79(5)	him	the person
80(1), (2)	he	the person
83(2)(c)	his	the person's
86(1), (2), (3)	his	the person's
86(2), (3)	he	the person
86(3)	him	the person
90.1	his	the person's
91(2)	himself	the person
91(2)	him	the person
109(1)	his	the person's
116(2)	him	the person
116(2)	his	the person's

7 This Regulation comes into force on March 1, 2019.

Alberta Regulation 8/2019

Various Acts

**JOINT GOVERNANCE OF PUBLIC SECTOR PENSION PLANS
CONSEQUENTIAL AMENDMENTS REGULATION**

Filed: January 22, 2019

For information only: Made by the Lieutenant Governor in Council (O.C. 012/2019) on January 22, 2019 pursuant to Various Acts.

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

(2) Section 6.1(1) is amended by striking out “and” at the end of clause (a) and adding the following after clause (a):

- (a.1) in providing investment management services, hold and invest the assets of a designated entity, or any part of the assets, in the nominee name of the Corporation in accordance with the terms of the investment management agreement with the designated entity, in which event the Corporation shall hold such assets as bare trustee, and

2(1) The *Conflicts of Interest Act Part 4.3 Designation Order (AR 42/2018)* is amended by this section.

(2) The Schedule is amended in Table 1 by striking out the following:

Alberta Local Authorities Pension Plan Corporation		CEO
--	--	-----

3(1) The *Lobbyists Act General Regulation (AR 247/2009)* is amended by this section.

(2) Schedule 1 is amended by striking out the following names:

Alberta Local Authorities Pension Plan Corporation
Local Authorities Pension Plan Board of Trustees
Public Service Pension Board
Special Forces Pension Board

4(1) The *Members of the Legislative Assembly Pension Plan Regulation (AR 319/85)* is amended by this section.

(2) Sections 14 and 15 are amended by striking out “an employer within the meaning of the *Public Service Pension Plan* (Alta. Reg. 368/93) or” **and substituting** “an employer participating in the Public Service Pension Plan or an employer within the meaning of”.

5(1) The *Provincial Judges and Masters in Chambers Registered and Unregistered Pension Plans* (AR 196/2001) is amended by this section.

(2) Section 47(1) of Schedule 1 is amended by striking out “the *Public Service Pension Plan* (AR 368/93)” **and substituting** “an employer participating in the Public Service Pension Plan”.

6(1) The *Public Sector Pension Plans (Legislative Provisions) Regulation* (AR 365/93) is amended by this section.

(2) Section 1(1)(a) and (b) are amended by striking out “Schedule 1, 2, 3, 4 or 5, as the case may be” **and substituting** “Schedule 5”.

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

Application

3(1) This Part applies to the pension plan referred to in section 1(e) of the Act.

(4) Section 3.1 is repealed.

(5) Section 3.2(1) is amended by striking out “Schedules 1, 2, 4 and 5” **and substituting** “Schedule 5”.

(6) Section 3.3 is amended by striking out “Schedules 1, 2, 4, 5 and 6” **and substituting** “Schedules 5 and 6”.

(7) Section 7.1 is amended

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

Remuneration

7.1(1) Remuneration is to be paid, as plan costs, to or on behalf of all members, including the chair, of a Board, at the rate payable under section 1 or 2, as the case may be, of Part A of Schedule 1 to the Committee Remuneration Order (O.C. 466/2007), as amended or replaced from time to time.

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

(4) Unless the President of Treasury Board, Minister of Finance otherwise directs the Board in writing, where remuneration is payable under this section to or on behalf of an employee of the Crown, it belongs to the Crown and is to be paid to the President of Treasury Board, Minister of Finance.

(8) Section 8.1 is amended

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

(3) Subject to subsections (1) and (2), an indemnification under this section covers

- (a) anything done by the Board member or Board, as the case may be, in good faith, or
- (b) any omission on the member's part to act provided that the member has acted in good faith generally,

in the exercise and performance of the member's or the Board's powers, duties and functions under the Act or in relation to the respective Plan.

(b) by repealing subsection (6) and substituting the following:

(6) To the extent that the payment of damages or legal and other expenses incurred in defending any claim against the Management Employees Pension Board, or its members, is covered by the indemnity given by section 24.9 of Schedule 5 to this Regulation, an indemnification by this section only applies

- (a) if all remedies reasonably available for the enforcement of that first-mentioned indemnity have been exhausted, and
- (b) to the extent of any shortfall not recoverable under those reasonably available remedies.

(9) Section 8.2(2)(b) is amended by striking out "he or she" and substituting "the individual".

(10) Section 9 is repealed and the following is substituted:

Employer's report

9 The Minister may direct any employer to provide to the Minister, within the time specified in the direction, information that is required to enable the Minister to fulfil the Minister's functions under the Act, the plan rules or this Regulation.

(11) Section 12 is amended

- (a) in subsection (2) by striking out “Minister of Finance” and substituting “President of Treasury Board, Minister of Finance”;**
- (b) in subsection (3) by striking out “his” and substituting “the deceased’s”.**

(12) Section 15 is amended

- (a) in subsection (1) by striking out “Minister of Finance” and substituting “President of Treasury Board, Minister of Finance”;**
- (b) in subsection (2) by striking out “Minister of Finance” and substituting “President of Treasury Board, Minister of Finance”;**
- (c) in subsection (3) by striking out “Minister of Finance” and substituting “President of Treasury Board, Minister of Finance”.**

(13) Section 16.15 is amended

- (a) by repealing subsections (1) and (1.1) and substituting the following:**

Portability arrangements between MEPP and each of LAPP, PSPP and Teachers’ Pension Plans

16.15(1) Pursuant to section 12(1)(g.1) of Schedule 5 to the Act and subject to subsection (1.1), the Minister may enter into a portability arrangement between the Management Employees Pension Plan and any of the following:

- (a) the Local Authorities Pension Plan;
- (b) the Public Service Pension Plan;
- (c) both the Teachers’ Pension Plan and the Private School Teachers’ Pension Plan (but not separately)

for the purpose of enabling the transfer of pension entitlements with respect to an eligible participant or former participant.

(1.1) A portability arrangement under subsection (1) is to be made

- (a) as between the Management Employees Pension Plan and the Local Authorities Pension Plan, by an agreement between the Minister, after consulting with

the Management Employees Pension Board, and the LAPP Corporation under this section and section 16(3)(g) of Schedule 1 to the *Joint Governance of Public Sector Pension Plans Act*,

- (b) as between the Management Employees Pension Plan and the Public Service Pension Plan, by an agreement between the Minister, after consulting with the Management Employees Pension Board, and the PSPP Corporation under this section and section 16(3)(f) of Schedule 2 to the *Joint Governance of Public Sector Pension Plans Act*, and
- (c) as between the Teachers' Pension Plan and the Private School Teachers' Pension Plan (together) and the Management Employees Pension Plan, by an agreement between the Teachers' Pension Plans Board of Trustees and the Minister under this section and section 58 of Schedules 1 and 2 to the *Teachers' and Private School Teachers' Pension Plans* (AR 203/95).

(b) by repealing subsection (2).

(14) Sections 19.2 to 19.28 are repealed.

(15) Section 21 is amended

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

- (m) "pensionable age" means, in relation to the participant pension partner and
 - (i) in relation to the Management Employees Pension Plan, the age of 60 years, and
 - (ii) in relation to the Closed Management Plan, the age of 55 years;

(b) in subsection (2) by striking out "he" and substituting "the person".

(16) Section 37(a) is amended by striking out "Alberta Pensions Administration Corporation" and substituting "Alberta Pensions Services Corporation".

(17) Schedules 1 to 4 are repealed.

(18) Schedule 5 is amended

(a) in section 4.1(1) by striking out “his” and substituting “the employer’s”;

(b) in section 24.3(3)(b) by striking out “he” and substituting “the participant”.

7(1) The *Reform of Agencies, Boards and Commissions Compensation Regulation* (AR 31/2017) is amended by this section.

(2) Schedule 1 is amended by striking out the following:

President and Chief Executive Officer	Alberta Local Authorities Pension Plan Corp.
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(3) Schedule 2 is amended by striking out the following:

Alberta Local Authorities Pension Plan Corp.	President & CEO	4	184 365	216 900	249 435
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8(1) The *Securities Regulation* (AR 115/95) is amended by this section.

(2) The following is added before section 12:

Registration exemption

11.1 Alberta Investment Management Corporation is not required to be registered under section 75 of the Act in relation to providing investment management services to designated entities under the *Alberta Investment Management Corporation Act*.

9(1) The *Teachers’ and Private School Teachers’ Pension Plans* (AR 203/95) is amended by this section.

(2) Schedule 1 is amended

(a) in section 1(1)(p)(i)(A) and (B) by striking out “subject to subsection (2.1),”;

(b) by repealing subsection (2.1).

10 The *Universities Academic Pension Plan* (AR 370/93) is repealed.

11 This Regulation comes into force on March 1, 2019.

Alberta Regulation 9/2019
Government Organization Act
DESIGNATION AND TRANSFER OF RESPONSIBILITY
AMENDMENT REGULATION

Filed: January 22, 2019

For information only: Made by the Lieutenant Governor in Council (O.C. 028/2019) on January 22, 2019 pursuant to sections 16, 17 and 18 of the Government Organization Act.

1 The *Designation and Transfer of Responsibility Regulation* (AR 80/2012) is amended by this Regulation.

2 Section 6 is amended by adding the following after subsection (1.04):

(1.05) The Minister of Energy is designated as the Minister responsible for the *Canyon Creek Hydro Development Act*.

3 Section 9 is amended by adding the following after subsection (1.6):

(1.7) The Minister of Health is designated as the Minister responsible for the *Mental Health Services Protection Act*.

4 Section 13(1)(ddd) is repealed.

5 Section 14 is amended by adding the following after subsection (1.1):

(1.11) The Minister of Municipal Affairs is designated as the Minister responsible for the *City Charters Fiscal Framework Act*, except sections 2, 6(2) and (3), 7, 8, 9 and 10 and sections 6(4), 7(2), 8 and 9 of the Schedule.

(1.12) The Minister of Municipal Affairs and the Minister of Transportation are designated as the Ministers with common responsibility for sections 2, 7, 8 and 9 of the *City Charters Fiscal Framework Act*.

6 Section 17 is amended by adding the following after subsection (1):

(1.1) The Minister of Transportation is designated as the Minister responsible for section 6(2) and (3) of the *City Charters Fiscal Framework Act* and sections 8 and 9 of the Schedule to the *City Charters Fiscal Framework Act*.

7 Section 18 is amended

(a) by adding the following after subsection (2.61):

(2.62) The President of Treasury Board, Minister of Finance is designated as the Minister responsible for the *Joint Governance of Public Sector Pension Plans Act*.

(2.63) The President of Treasury Board, Minister of Finance is designated as the Minister responsible for section 10 of the *City Charters Fiscal Framework Act* and sections 6(4) and 7(2) of the Schedule to the *City Charters Fiscal Framework Act*.

(b) by adding the following after subsection (5):

(5.1) The responsibility for that part of the public service associated with the parts of the appropriation transferred under subsection (5.2) is transferred to the President of Treasury Board, Minister of Finance.

(5.2) The responsibility for the administration of the unexpended balance of the portions of element 2.2, Resource Development, of program 2, Resource Development and Management, related to non-renewable resource revenue forecasting of the 2018-19 Government appropriation for Energy is transferred to the President of Treasury Board, Minister of Finance.

(c) by repealing subsections (6) and (7).

Alberta Regulation 10/2019

**Post-secondary Learning Act
Regulations Act**

**POST-SECONDARY LEARNING ACT CONSEQUENTIAL
AMENDMENTS REGULATION**

Filed: January 22, 2019

For information only: Made by the Lieutenant Governor in Council (O.C. 029/2019) on January 22, 2019 pursuant to section 61 of An Act to Improve the Affordability and Accessibility of Post-secondary Education and section 10 of the Regulations Act.

1 The purpose of this Regulation is

- (a) to make consequential amendments to various regulations pursuant to section 61(2) of *An Act to Improve the Affordability and Accessibility of Post-secondary Education*, and**
- (b) to make corrections pursuant to section 10(1)(a) of the *Regulations Act*.**

2(1) The *Alberta Elk Plan Regulation* (AR 210/2002) is amended by this section.

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

- (m) “formal education” means a certificate, diploma or degree program at the post-secondary or post-graduate level that
 - (i) is provided by a university, comprehensive community college, polytechnic institution or private post-secondary institution under the *Post-secondary Learning Act*, and
 - (ii) is recognized by the Commission for the purposes of this Plan;

3(1) The *Alberta Heritage Scholarship Regulation* (AR 214/99) is amended by this section.

(2) Section 1(b)(ii) is amended by striking out “private college” and substituting “private post-secondary institution”.

4(1) The *Alternative Academic Council Regulation* (AR 219/2006) is amended by this section.

(2) Section 2 is amended by striking out “public college or technical institute” and substituting “comprehensive community college or polytechnic institution”.

(3) Section 3 is amended

- (a) in clause (a) by striking out “public college or technical institute” and substituting “comprehensive community college or polytechnic institution”;**

(b) in clause (b) by striking out “public college or technical institute” **and substituting** “comprehensive community college or polytechnic institution”.

(4) Section 5 is amended by striking out “public college or technical institute” **wherever it occurs and substituting** “comprehensive community college or polytechnic institution”.

(5) Section 6(1) is amended by striking out “public college or technical institute” **wherever it occurs and substituting** “comprehensive community college or polytechnic institution”.

(6) Section 8(1) is amended by striking out “public college or technical institute” **and substituting** “comprehensive community college or polytechnic institution”.

(7) Section 9 is amended by striking out “public college or technical institute” **and substituting** “comprehensive community college or polytechnic institution”.

(8) Section 10 is amended by striking out “public college or technical institute” **and substituting** “comprehensive community college or polytechnic institution”.

(9) Section 11 is amended by striking out “public college or technical institute” **and substituting** “comprehensive community college or polytechnic institution”.

5(1) The *Business Corporations Regulation* (AR 118/2000) is amended by this section.

(2) Section 14(1)(c) is amended by striking out “technical institute” **wherever it occurs and substituting** “polytechnic institution”.

6(1) The *Certification of Teachers Regulation* (AR 3/99) is amended by this section.

(2) Section 1(b) is amended

(a) in subclause (i) by striking out “*Universities Act*” **and substituting** “*Post-secondary Learning Act*”;

(b) in subclause (ii) by striking out “a private college, as defined in the *Colleges Act*” **and substituting** “a private post-secondary institution, as defined in the *Post-secondary Learning Act*”.

(3) Section 10(1)(a)(i) is amended by adding “or” at the end of paragraph (B) and by repealing paragraphs (C) and (D) and substituting the following:

- (C) a comprehensive community college, polytechnic institution or private post-secondary institution as defined in the *Post-secondary Learning Act*,

7(1) The *Child Care Licensing Regulation* (AR 143/2008) is amended by this section.

(2) Section 1(1) is amended

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

- (a.1) “comprehensive community college” means a comprehensive community college as defined in the *Post-secondary Learning Act*;

(b) by repealing clause (p).

(3) Section 15(1)(a) is amended by striking out “public college” and substituting “comprehensive community college”.

(4) Section 16(1)(a) is amended by striking out “public college” and substituting “comprehensive community college”.

8(1) The *Coal Conservation Rules* (AR 270/81) are amended by this section.

(2) Section 88 is amended by striking out “a technical institute” and substituting “a polytechnic institution”.

9(1) The *Communicable Diseases Regulation* (AR 238/85) is amended by this section.

(2) Section 1(x) is amended by striking out “technical institute” and substituting “polytechnic institution”.

10(1) The *Conflicts of Interest Act Part 4.3 Designation Order* (AR 42/2018) is amended by this section.

(2) The Schedule is amended in Table 1 by striking out “The Board of Governors of Alberta College of Art and Design” and substituting “The Board of Governors of Alberta University of the Arts”.

11(1) The *Cooperatives Regulation (AR 55/2002)* is amended by this section.

(2) Section 14(1)(c) is amended by striking out “technical institute” wherever it occurs and substituting “polytechnic institution”.

12(1) The *Credit Union (Principal) Regulation (AR 249/89)* is amended by this section.

(2) Section 54(5)(c) is amended by striking out “technical institute” and substituting “polytechnic institution”.

13(1) The *Designation of Trades and Businesses Regulation (AR 178/99)* is amended by this section.

(2) Section 3(3)(d) is amended by striking out “technical institute” and substituting “polytechnic institution”.

(3) Section 4(3)(a.1) is amended by striking out “publicly funded private college” wherever it occurs and substituting “publicly funded private post-secondary institution”.

14(1) The *Driver Training and Driver Examination Regulation (AR 316/2002)* is amended by this section.

(2) Section 4(3) is amended

(a) in clause (a) by striking out “public college” and substituting “comprehensive community college”;

(b) in clause (b) by striking out “technical institute” and substituting “polytechnic institution”.

15(1) The *Fuel Tax Regulation (AR 62/2007)* is amended by this section.

(2) Section 1(1)(w)(ii) is amended by striking out “public college” and substituting “comprehensive community college”.

16(1) The *Identification Card Regulation (AR 221/2003)* is amended by this section.

(2) Section 1(e) is amended by striking out “technical institute” and substituting “polytechnic institution”.

(3) Section 5(2)(b) is amended by striking out “technical institute” and substituting “polytechnic institution”.

17(1) The *Land Use Regulation* (AR 54/2004) is amended by this section.

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

(f) “university board” means the board of governors of a comprehensive academic and research university;

(3) Section 2 is amended by striking out “university” wherever it occurs and substituting “comprehensive academic and research university”.

18(1) The *Off-highway Vehicle Regulation* (AR 319/2002) is amended by this section.

(2) Section 28(h) is repealed and the following is substituted:

(h) a university, comprehensive community college, private post-secondary institution or polytechnic institution;

(3) Section 34(2)(h) is repealed and the following is substituted:

(h) a university, comprehensive community college, private post-secondary institution or polytechnic institution;

19(1) The *Oil and Gas Conservation Rules* (AR 151/71) are amended by this section.

(2) Section 17.030 is amended by striking out “technical institute” and substituting “polytechnic institution”.

20(1) The *Operator Licensing and Vehicle Control Regulation* (AR 320/2002) is amended by this section.

(2) Section 84(2)(h) is repealed and the following is substituted:

(h) a university, comprehensive community college, private post-secondary institution or polytechnic institution;

(3) Section 103(h) is repealed and the following is substituted:

- (h) a university, comprehensive community college, private post-secondary institution or polytechnic institution;

21(1) The *Professional Biologists Regulation (AR 120/2002)* is amended by this section.

- (2) Section 1(l)(iv) is amended by striking out “technical institute” and substituting “polytechnic institution”.**

22(1) The *Public Interest Disclosure (Whistleblower Protection) Regulation (AR 71/2013)* is amended by this section.

- (2) Section 1(e) of Schedule 2 is amended by striking out “public college or technical institute” and substituting “comprehensive community college or polytechnic institution”.**

23(1) The *Reform of Agencies, Boards and Commissions (Post-secondary Institutions) Compensation Regulation (AR 47/2018)* is amended by this section.

- (2) Schedule 1 is amended by striking out “The Board of Governors of Alberta College of Art and Design” and substituting “The Board of Governors of Alberta University of the Arts”.**

- (3) Schedule 2 is amended by striking out “The Board of Governors of Alberta College of Art and Design” and substituting “The Board of Governors of Alberta University of the Arts”.**

24(1) The *Societies Regulation (AR 122/2000)* is amended by this section.

- (2) Section 13(1)(c) is amended by striking out “technical institute” wherever it occurs and substituting “polytechnic institution”.**

25(1) The *Temporary Employment and Job Creation Programs Regulation (AR 33/2010)* is amended by this section.

- (2) Section 2(k) is amended by striking out “private college operating” and substituting “private post-secondary institution”.**

26(1) The *Workers' Compensation Regulation* (AR 325/2002) is amended by this section.

(2) Section 7(1)(c) is amended

- (a) in subclause (ii) by striking out** “the Banff Centre for Continuing Education” **and substituting** “The Banff Centre”;
- (b) in subclause (iii) by striking out** “public college or provincially-owned institution” **and substituting** “comprehensive community college”;
- (c) in subclause (iv) by striking out** “technical institute” **and substituting** “polytechnic institution”.

27 This Regulation comes into force on February 1, 2019.

Alberta Regulation 11/2019

Adult Guardianship and Trusteeship Act

**ADULT GUARDIANSHIP AND TRUSTEESHIP (MINISTERIAL)
AMENDMENT REGULATION**

Filed: January 22, 2019

For information only: Made by the Minister of Justice and Solicitor General (M.O. 1/2019) on January 18, 2019 pursuant to section 116(2) of the Adult Guardianship and Trusteeship Act.

1 The *Adult Guardianship and Trusteeship (Ministerial) Regulation* (AR 224/2009) is amended by this Regulation.

2 Section 8 is repealed.

Alberta Regulation 12/2019

Real Estate Act

REAL ESTATE (MINISTERIAL) AMENDMENT REGULATION

Filed: January 25, 2019

For information only: Made by the Minister of Service Alberta (M.O. SA:003/2019) on January 18, 2019 pursuant to section 84(2)(a.1) of the Real Estate Act.

1 The *Real Estate (Ministerial) Regulation (AR 113/96)* is amended by this Regulation.

2 The following is added after section 25:

Prescribed time

25.1 For the purposes of section 6(7) of the Act, the time within which the members appointed under section 6(1)(b) and (c) of the Act must appoint a member under section 6(1)(e) of the Act is

- (a) 10 days from the date the member's term expires pursuant to section 6(2) of the Act, or
- (b) 30 days from the date the member's position otherwise becomes vacant.

Alberta Regulation 13/2019

Government Organization Act

REGISTRY SERVICE CHARGES AMENDMENT REGULATION

Filed: January 25, 2019

For information only: Made by the Minister of Service Alberta (M.O. SA:031/2018) on January 18, 2019 pursuant to Schedule 12, section 12(1) of the Government Organization Act.

1 The *Registry Service Charges Regulation (AR 183/2005)* is amended by this Regulation.

2 The following is added after section 2:

Road test

2.1 The service charge payable for a road test is \$28.

3 The Schedule is amended under the heading “Driver Related Products (*Traffic Safety Act*)” by striking out the following entry:

Road test conducted by government \$9

4 This Regulation comes into force on March 1, 2019.

Alberta Regulation 14/2019

Various Acts

SERVICE ALBERTA REGULATIONS (MINISTERIAL) (EXPIRY DATE EXTENSION) AMENDMENT REGULATION

Filed: January 25, 2019

For information only: Made by the Minister of Service Alberta (M.O. SA:040/2018) on January 18, 2019 pursuant to sections 4.1, 12(1)(e), 41, 105 and 162(2) of the Consumer Protection Act, section 66 of the Mobile Home Sites Tenancies Act, section 65 of the Cemeteries Act and section 27 of the Funeral Services Act.

1 The *Crematory Regulation* (AR 248/98) is amended in section 9 by striking out “November 30, 2019” and substituting “November 30, 2024”.

2 The *General Regulation* (AR 226/98) is amended in section 43 by striking out “November 30, 2019” and substituting “November 30, 2024”.

3 The *Mobile Home Sites Tenancies Ministerial Regulation* (AR 54/96) is amended in section 12 by striking out “October 31, 2019” and substituting “October 31, 2022”.

4 The *Time Share and Points-based Contracts and Business Regulation* (AR 105/2010) is amended in section 29 by striking out “June 30, 2019” and substituting “June 30, 2022”.

Alberta Regulation 15/2019

Environmental Protection and Enhancement Act

**OIL SANDS ENVIRONMENTAL MONITORING PROGRAM (EXPIRY
DATE EXTENSION) AMENDMENT REGULATION**

Filed: January 30, 2019

For information only: Made by the Minister of Environment and Parks
(M.O. 01/2019) on January 24, 2019 pursuant to section 36.1 of the Environmental
Protection and Enhancement Act.

**1 The *Oil Sands Environmental Monitoring Program
Regulation* (AR 226/2013) is amended by this Regulation.**

**2 Section 11 is amended by striking out “January 31, 2019”
and substituting “January 31, 2022”.**

Alberta Regulation 16/2019

**Oil and Gas Conservation Act
Oil Sands Conservation Act
Responsible Energy Development Act**

CURTAILMENT RULES AMENDMENT REGULATION

Filed: January 30, 2019

For information only: Made by the Lieutenant Governor in Council (O.C. 034/2019)
on January 30, 2019 pursuant to section 10 of the Oil and Gas Conservation Act,
section 20 of the Oil Sands Conservation Act and section 68 of the Responsible
Energy Development Act.

**1 The *Curtailment Rules* (AR 214/2018) are amended by
this Regulation.**

2 Section 1 is amended

**(a) in clause (c) by striking out “section 5(1)” and
substituting “these rules fixing the combined amount of
crude oil and crude bitumen that may be produced during a
month to which the order applies by an operator with an
adjusted baseline production greater than zero barrels”;**

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

- (c.1) “in situ operation” means an in situ operation as defined in the *Oil Sands Conservation Act*;

3 Section 4 is amended by adding “by operators with an adjusted baseline production greater than zero barrels” **after** “Alberta”.

4 Section 5 is amended

- (a) **in subsection (1) by adding** “with an adjusted baseline production greater than zero barrels” **after** “among operators”;
- (b) **in subsection (2) by adding** “to whom a curtailment order is issued” **after** “An operator”.

5 The following is added after section 5.2:

Prevention of impairment of future production

5.3(1) This section applies in respect of every month following January 2019.

(2) The Minister may, by order, amend an operator’s curtailment order to increase the combined amount of crude oil and crude bitumen that may be produced by the operator in any month to which this section applies to an amount that the Minister considers sufficient to mitigate the long-term loss of crude bitumen production if the operator demonstrates to the satisfaction of the Minister that all of the following apply:

- (a) the operator is the operator of an oil sands project that is producing crude bitumen;
- (b) the operator’s forecasted production volume for the oil sands project for 2019 accounts for 80% or more of the operator’s total forecasted production volume for 2019;
- (c) the operator’s forecasted production volume for the oil sands project for 2019 is equal to or greater than 125% of the operator’s forecasted production volume for the oil sands project for 2018;
- (d) the oil sands project is an in situ operation that uses steam injection;

- (e) the operator had, on or before December 2, 2018, started injecting steam in one or more wells that
 - (i) are part of the oil sands project, and
 - (ii) had not had steam injected into them before January 1, 2018;
- (f) compliance with the current curtailment order by the operator would result in the long-term loss of crude bitumen production.

(3) An operator's forecasted production volume for an oil sands project for a year is the forecasted production volume for the oil sands project for the year as set out in the report furnished to the Minister during the 2018 calendar year under section 37 of the *Oil Sands Royalty Regulation, 2009* (AR 223/2008).

(4) An operator's total forecasted production volume for a year is the sum of the forecasted production volumes for the year for all the oil sands projects operated by the operator as set out in the reports furnished to the Minister during the 2018 calendar year under section 37 of the *Oil Sands Royalty Regulation, 2009* (AR 223/2008).

(5) An order under subsection (2) applies notwithstanding that the effect of the order is to cause the combined provincial production allocation for crude oil and crude bitumen for a month to be exceeded.

Freehold mineral right holders

5.4(1) This section applies in respect of every month following January 2019.

(2) The Minister may, by order, amend an operator's curtailment order to increase the combined amount of crude oil and crude bitumen that may be produced by the operator in any month to which this section applies to an amount that the Minister considers sufficient to allow the operator to retain mineral rights as described in clause (b) if the operator demonstrates to the satisfaction of the Minister that both of the following apply:

- (a) 80% or more of the operator's total production of crude oil and crude bitumen is freehold production;
- (b) the combined amount of crude oil and crude bitumen that may be produced by the operator in the month is insufficient to allow the operator to produce the amount of crude oil or crude bitumen required for the operator to retain mineral rights under any contractual requirement established before

December 2, 2018 between the operator and the registered owner of the freehold mineral rights.

(3) An order under subsection (2) applies notwithstanding that the effect of the order is to cause the combined provincial production allocation for crude oil and crude bitumen for a month to be exceeded.

6 Section 1(6) of the Schedule is repealed and the following is substituted:

(6) The adjusted baseline production for an operator is the amount determined in accordance with the following formula:

A - B

where

A is the baseline production for the operator;

B is 310 000 barrels of combined production of crude oil and crude bitumen.

7 Sections 2 and 3 of the Schedule are repealed and the following is substituted:

**Percentage of the aggregate adjusted
baseline production allowable**

2 For every calendar month during which an order made under section 4 of these Rules applies, the Minister shall determine the percentage of the adjusted baseline production allowable in accordance with the following formula:

$$\frac{(C - D)}{C}$$

where

C is the aggregate of the adjusted baseline production for the month for all operators with an adjusted baseline production greater than zero barrels;

D is the amount required, in the opinion of the Minister, to achieve the provincial production allocation for the month.

Amount specified in curtailment order

3 For every operator with an adjusted baseline production greater than zero barrels, the Minister shall determine the combined amount of crude oil and crude bitumen that may be produced by the operator in accordance with the following formula for every calendar month during which an order under section 4 of these Rules applies:

$$\frac{((E \times F) + G) \times H}{I}$$

where

- E is the adjusted baseline production for the operator as determined in section 1(6);
- F is the percentage of the adjusted baseline production allowable as determined under section 2;
- G is 310 000 barrels of combined production of crude oil and crude bitumen;
- H is the number of days in the month;
- I is 31 days.