ORDER IN COUNCIL

The Lieutenant Governor in Council makes the Public Lands Administration Amendment Regulation set out in the attached Appendix.

FILED UNDER
THE REGULATIONS ACT
as ALBERTA REGULATION 104/2021
ON May 27, 2021

For Information only

Recommended by: Minister of Environment and Parks

Authority: Public Lands Act
(sections 9 and 9.1)
APPENDIX
Public Lands Act
PUBLIC LANDS ADMINISTRATION
AMENDMENT REGULATION

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

2 Section 30 is amended by adding the following before clause (b):
   (a.1) “activity pass” means an activity pass referred to in section 33.1;

3 Sections 32(2) and 33(2) are amended by striking out “section 34” and substituting “sections 33.1 and 34”.

4 The following is added after section 33:

Activity pass requirement

33.1(1) The Minister may by order, in accordance with this section, designate an area of public land as an area requiring an activity pass.

(2) The following are exempt from the requirement to obtain an activity pass:

(a) an Indian within the meaning of the Indian Act (Canada);

(b) a member of a category of persons identified in an order under this section as being exempt because they might be beneficiaries of rights of aboriginal peoples recognized and affirmed under Part II of the Constitution Act, 1982;

(c) a member of a category of persons identified in an order under this section as being exempt.

(3) An order made under subsection (1) may

(a) designate activities for which an activity pass is required within the designated area,
(b) exclude from the requirement to obtain an activity pass, activities in respect of which an activity pass is not required within the designated area,

(c) specify the fees, if any, that a person must pay in respect of an activity pass,

(d) specify the rules, if any, that apply with respect to an activity pass and designated area,

(e) specify the rules, if any, that apply to persons who are exempt from the requirement to obtain an activity pass in respect of their entry on and occupation of public land in the designated area, and

(f) include any other requirements, terms or conditions that the Minister considers appropriate.

(4) Subject to section 34, where an order is made under subsection (1), as required by and in accordance with the order, a person shall,

(a) comply with any rules, requirements, terms or conditions set out in the order, and

(b) unless exempt under subsection (2),

(i) obtain an activity pass, and

(ii) on the request of an officer, produce the activity pass for inspection.

5 Section 37.1 is amended by adding the following after subsection (3):

(4) The requirement to apply for and obtain an access permit under subsection (1) is in addition to a requirement to obtain an activity pass pursuant to an order under section 33.1.

6 The following is added after section 44:

Prohibition — activity pass area

44.1 No person shall, in contravention of an order under section 33.1, enter on or occupy public land designated in an
order under section 33.1 except in accordance with the order or as otherwise permitted by the Act and regulations.

7 Section 174 is amended

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

(e.1) section 33.1(4)(a) and (b)(i) and (ii);

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

(j.1) section 44.1;

(c) in clause (cc) by striking out “181(a) and (b)” and substituting “181(a), (a.1) and (b)”.

8 Section 181 is amended by striking out “and” at the end of clause (a) and adding the following after clause (a):

(a.1) an order under section 33.1, and