



Province of Alberta

ENVIRONMENTAL PROTECTION AND  
ENHANCEMENT ACT

FORESTS ACT

**FOREST RESOURCES  
IMPROVEMENT REGULATION**

**Alberta Regulation 152/1997**

With amendments up to and including Alberta Regulation 76/2021

Current as of May 1, 2021

Office Consolidation

© Published by Alberta Queen's Printer

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### **Note**

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(Consolidated up to 76/2021)

**ALBERTA REGULATION 152/97**

**Forests Act  
Environmental Protection and Enhancement Act**

**FOREST RESOURCES IMPROVEMENT REGULATION**

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**Definitions**

**1** In this Regulation,

- (a) “Association” means the Forest Resource Improvement Association of Alberta;
- (b) “by-law” means a by-law made by the Association under section 9;
- (c) “EPEA” means the *Environmental Protection and Enhancement Act*;
- (d) “FRIAA dues” means the dues that are set by this Regulation or determined by the Association under section 5;

- (e) “Minister” means the Minister of Agriculture and Forestry except in section 3, where “Minister” means the Minister of Environment and Parks”;
- (e.1) “reforestation levy” means the reforestation levy that is determined by the Association under section 5.1;
- (f) “TMR” means the *Timber Management Regulation* (AR 60/73).

AR 152/97 s1;27/99;101/2000;206/2001;233/2004;170/2012;  
5/2018

#### **Establishment of delegated authority**

**2(1)** The Forest Resource Improvement Association of Alberta, being a society incorporated under the *Societies Act*, is hereby established as a delegated authority within the meaning of section 37(1)(d), (e) and (f) of EPEA.

**(2)** The Association shall carry out its purposes in accordance with this Regulation and the objects and by-laws of the Association under the *Societies Act*.

AR 152/97 s2;251/2001;197/2019

#### **Freedom of information and protection of privacy**

**2.1(1)** The Association shall comply with the *Freedom of Information and Protection of Privacy Act* in the course of carrying out its powers, duties and functions under this Regulation.

**(2)** The Association shall designate a person to be responsible for freedom of information matters.

**(3)** If a request for access to information pursuant to the *Freedom of Information and Protection of Privacy Act* is made, the Association shall

- (a) in the case of a request made directly to the Association, immediately direct the request to the Department’s Freedom of Information and Protection of Privacy Co-ordinator, and
- (b) in every case, comply with such directions regarding the request as may be provided by the Co-ordinator.

**(4)** All records in the custody or under the control of the Association that are required in the carrying out of its powers, duties or functions under this Regulation are subject to

- (a) the *Records Management Regulation* (AR 224/2001), or

(b) any regulation that replaces the *Records Management Regulation* (AR 224/2001).

(5) All information and records created or maintained in the course of carrying out the powers, duties and functions under this Regulation become and remain the property of the Crown in right of Alberta.

(6) The Association shall designate a person to be responsible for records management matters.

AR 68/99 s4;37/2010

### Purposes

**3(1)** The purpose of the Association is to establish programs or initiatives

- (a) for the enhancement of forest resources of Alberta,
- (b) to promote enhanced management of the forest resources of Alberta,
- (c) to improve the sustained yield of the forest resources of Alberta,
- (d) to promote integrated resource management, and
- (e) for the reforestation of public land using the reforestation levies collected by the Association.

(2) In order to carry out its purposes, the Association is delegated the powers of the Minister to establish and administer programs and initiatives under section 12(a) of EPEA in relation to the forest resources of Alberta.

(3) Notwithstanding anything in this Regulation, the Association shall not take any action or measure that is inconsistent with or that alters the obligations of timber disposition holders created by existing tenure, regulatory or legislative requirements.

AR 152/97 s3;101/2000;206/2001;8/2005;31/2012;170/2012;  
5/2018;76/2021

### Association duties

**4(1)** The Association shall

- (a) not less than 30 days before the start of each fiscal year provide to the Minister a business plan for the Association that indicates its goals for the coming fiscal year,
- (b) not more than 6 months after the end of each fiscal year provide to the Minister an annual report summarizing the

activities of the Association and containing the audited financial statements of the Association for the fiscal year, and

- (c) provide records, information, audits, reviews or reports prepared for or by the Association to the Minister on request.

**(2)** The remuneration and benefits that were paid or provided to the following during the fiscal year must be reported in the financial statements or as a note or schedule to the financial statements:

- (a) all members of the board of directors of the Association;
- (b) all management personnel who report directly to one or more of the members of the board of directors.

**(3)** The remuneration and benefits must be reported

- (a) on an individual basis by name in the case of persons referred to in subsection (2)(a), and
- (b) on an aggregate basis in the case of the persons referred to in subsection (2)(b).

**(4)** The Minister is authorized to disclose personal information reported under this section, and this subsection constitutes an authorization for the purposes of section 40(1)(f) of the *Freedom of Information and Protection of Privacy Act*.

AR 152/97 s4;251/2001

#### **FRIAA dues**

**5(1)** Where a person is required to pay timber dues under section 80 or 86 of the TMR, the person, whether or not a member of the Association, shall pay FRIAA dues to the Association in an amount determined by the Association that is based on the volume of timber on which the timber dues are based.

**(1.1)** Where a person is required to pay timber dues under section 90.1 of the TMR, the person, whether or not a member of the Association, shall pay FRIAA dues to the Association in the amount of \$0.50 per cubic metre in respect of the volume of timber on which the timber dues are based.

**(2)** The FRIAA dues under subsection (1) or (1.1) are due and owing to the Association when the timber dues referred to in subsection (1) or (1.1) are due and owing to the Crown.

**(3),(4)** Repealed AR 76/2021 s3.

AR 152/97 s5;27/99;233/2004;76/2021

**Reforestation levy**

**5.1(1)** Where a person is required to pay a reforestation levy under the TMR, the person, whether or not a member of the Association, shall pay the reforestation levy in an amount determined by the Association that is based on the volume of timber on which the timber dues are based.

**(2)** The reforestation levy under subsection (1) is due and owing to the Association when the timber dues referred to in section 5(1) or (1.1) are due and owing to the Crown.

**(3)** Where the Association proposes to change the amount of the reforestation levy, it shall give reasonable prior notice of the proposed change to the Minister.

AR 101/2000 s4;233/2004

**Other amounts payable to the Association**

**6(1)** In addition to the amounts referred to in sections 5 and 5.1, the Association may collect the following:

- (a) money paid pursuant to agreements entered into between the Association and any person in relation to the purposes of the Association;
- (b) fees for services provided by the Association;
- (c) gifts, donations, grants and bequests made to the Association.

**(2)** Investment income earned on money and gifts collected by the Association accrues to and forms part of the funds of the Association.

**(3)** The Association may only use the funds collected by or paid to the Association under this Regulation in order to carry out its purposes under this Regulation.

AR 152/97 s6;101/2000

**Charging of fees**

**7** The Association may charge fees with respect to services provided by the Association.

**Collection of money on behalf of the Association**

**8(1)** The Association may enter into agreements with any person, including the Crown to collect money on behalf of the Association.

(2) Any person, including the Crown, who holds money on behalf of the Association pursuant to subsection (1) holds the money in trust for the Association.

#### **Association by-laws**

**9** The Association may make by-laws

- (a) to establish and administer programs and initiatives to promote the enhancement of forest resources of Alberta,
- (b) to establish and administer programs and initiatives to promote enhanced management of the forest resources of Alberta,
- (c) to establish and administer programs and initiatives to improve the sustained yield of the forest resources of Alberta,
- (d) to establish and administer programs and initiatives to promote integrated resource management, and
- (e) in relation to the funds paid to or collected by the Association.

#### **Changes to by-laws and objects**

**10** Where the Association proposes to change its objects or by-laws under the *Societies Act*, it shall give reasonable prior notice of the nature of the proposed changes to the Minister.

#### **Recovery of amounts owing**

**11** Where a person fails to pay the FRIAA dues as required under section 5, the reforestation levy as required under section 5.1 or fees referred to in section 7, the Association may recover the outstanding amounts by an action in debt.

AR 152/97 s11;101/2000

**12** Repealed AR 197/2019 s3.

#### **Expiry**

**13** For the purposes of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be re-passed in its present or an amended form following a review, this Regulation expires on April 30, 2028.

AR 152/97 s13;170/2002;206/2009;6/2011;5/2018;268/2020;76/2021

**Coming into force**

**14** This Regulation comes into force on September 1, 1997.

**Schedule 1** Repealed AR 76/2021 s5.

**Schedule 2** Repealed AR 76/2021 s5.







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