



Province of Alberta

ALBERTA UTILITIES COMMISSION ACT

SECURITY MANAGEMENT REGULATION

Alberta Regulation 230/2012

With amendments up to and including Alberta Regulation 226/2017

Office Consolidation

© Published by Alberta Queen's Printer

Alberta Queen's Printer
Suite 700, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

Copyright and Permission Statement

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20__.*

*The year of first publication of the legal materials is to be completed.

Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 226/2017)

ALBERTA REGULATION 230/2012

Alberta Utilities Commission Act

SECURITY MANAGEMENT REGULATION

Definitions

1 In this Regulation,

- (a) “critical facility” means a gas utility pipeline that is named in the critical infrastructure list or a related facility of any of them;
- (b) “critical infrastructure list” means the critical infrastructure list established under the Plan;
- (c) “gas utility pipeline” means a gas utility pipeline as defined in the *Gas Utilities Act*;
- (d) “Plan” means the Alberta Counter Terrorism Crisis Management Plan established under the *Emergency Management Act*;
- (e) “security measures” means threat response plans relating to a threat of terrorist activity or terrorist activity against a critical facility in accordance with the Plan.

Security measures to be established for a critical facility

2(1) A licensee of a critical facility must establish security measures relating to the critical facility in accordance with the recommended practices outlined in the Plan to enable the licensee to respond to the various levels of threat of terrorist activity that may be declared under the Plan.

(2) If the Department of Justice and Solicitor General informs a licensee of a critical facility that the facility has been threatened and the level of the threat, the licensee must implement security measures in accordance with the recommended practices outlined in the Plan related to the level of threat that has been declared.

(3) If, in the opinion of the Commission, the licensee of a critical facility has failed to implement security measures in accordance with subsection (2), the Commission may

- (a) order the licensee to implement security measures in accordance with the recommended practices outlined in

the Plan related to the level of threat that has been declared, or

- (b) whether or not the Commission has made an order under clause (a), take action to implement security measures in accordance with the recommended practices outlined in the Plan related to the level of threat that has been declared and recover the costs incurred in doing so from the licensee as a debt owed to the Commission.

(4) The Commission may audit the security measures of a licensee in respect of a critical facility and the capacity of the licensee to implement those security measures.

(5) Any information filed with the Commission in relation to the security measures of a critical facility is confidential and may not be accessed except as permitted by the Commission.

Threat of terrorist activity

3(1) Where the Commission has been informed of the existence of a threat of terrorist activity against a gas utility pipeline, the Commission must

- (a) inform the licensee of the threat of terrorist activity and the level of threat, and
- (b) request the licensee to provide information about the manner in which the licensee will address the threat.

(2) Where the threat of terrorist activity is high or imminent against a gas utility pipeline and after consultation with the licensee the Commission is of the opinion that the licensee is unwilling or unable to take measures to address the threat, the Commission may

- (a) order the licensee to shut down the gas utility pipeline, and set out the terms under which the order may cease to have effect, or
- (b) whether or not the Commission has made an order under clause (a), take action to shut down the gas utility pipeline and recover the costs incurred in doing so from the licensee as a debt owed to the Commission.

(3) Any information filed with the Commission in response to a request under subsection (1)(b) is confidential and may not be accessed except as permitted by the Commission.

4 Repealed AR 226/2017 s2.



Printed on Recycled Paper 