Alberta Regulation 194/2018

Electric Utilities Act

SMALL SCALE GENERATION REGULATION

Filed: November 19, 2018

For information only: Made by the Minister of Energy (M.O. 137/2018) on November 19, 2018 pursuant to sections 88, 99 and 108 of the Electric Utilities Act.

Table of Contents

Definitions

1 In this Regulation,

(a) "CO_2e" means CO_2e as defined in the *Carbon Competitiveness Incentive Regulation* (AR 255/2017);

(b) "community benefits agreement" means a legally binding contract in writing that

(i) is between a small scale power producer and a community group,

(ii) is in respect of a small scale generating unit, and

(iii) confers social, environmental or economic benefits to the community group;

(c) "community benefits statement" means a statement in writing that

(i) is made by a small scale power producer that is a community group,

(ii) is in respect of a small scale generating unit that is wholly owned by the community group, and

(iii) sets out the social, environmental or economic benefits that will be received by the community group;

(d) "community generating unit" means a small scale generating unit that

(i) is the subject of a community benefits agreement or a community benefits statement, and

(ii) has been qualified by the Commission under section 3;

(e) "community group" means any of the following:

(i) a co-operative incorporated under the *Cooperatives Act*;

(ii) a board as defined in the *School Act*;

(iii) a board of a public post-secondary institution or a board of a private college operating under the *Post-secondary Learning Act*;

(iv) a band as defined in the *Indian Act* (Canada) that is located in Alberta;

(v) a settlement under the *Metis Settlements Act*;

(vi) a municipal authority as defined in the *Municipal Government Act*;

(vii) a society under the *Societies Act*;

(viii) an incorporated congregation or trustee incorporated under the *Religious Societies' Land Act*;

(ix) an irrigation district as defined in the *Irrigation Districts Act*;

(x) an agricultural society referred to in section 1(c)(i) of the *Agricultural Societies Act*;

(xi) a condominium corporation under the *Condominium Property Act*;

(xii) a corporation under the *Business Corporations Act* that is a registered charity within the meaning of the *Income Tax Act* (Canada);

(xiii) an association registered under Part 9 of the *Companies Act*;

(xiv) an association as defined in the *Rural Utilities Act*;

(f) "distribution owner", in relation to a generating unit, means the owner of the electric distribution system for the service area in which the generating unit is located;

(g) "eligible generating unit" means a generating unit that

(i) exclusively uses sources of renewable or alternative energy,

(ii) is or will be connected to an electric distribution system for the purpose of supplying electric energy,

(A) to the interconnected electric system, or

(B) within an isolated community,

and

(iii) has a total nameplate capacity that will not exceed the electric distribution system hosting capacity at the interconnection point;

(h) "facility" means one or more small scale generating units of a small scale power producer connected at a single interconnection point;

(i) "ISO" means the Independent System Operator;

(j) "ISO settlement period" means the settlement period established by the ISO rules;

(k) "isolated community" means an isolated community within the meaning of the *Isolated Generating Units and Customer Choice Regulation* (AR 165/2003);

(l) "renewable or alternative energy" means electric energy generated from

(i) products having current EcoLogo certification, or

(ii) solar, wind, hydro, fuel cell, geothermal, biomass or other generation sources, if the emissions intensity of

(A) the electric energy produced, or

(B) the total energy produced from the simultaneous generation of electric energy and production of thermal energy from the same fuel source

is less than or equal to 418 kg CO_2e per MWh;

(m) "small scale generating unit" means an eligible generating unit that has been qualified as a small scale generating unit under section 2;

(n) "small scale power producer" means the owner of a small scale generating unit.

Application to qualify as small scale generation

2(1) The owner of an eligible generating unit may apply to the distribution owner for the service area in which the generating unit is located for the generating unit to be qualified as a small scale generating unit under this Regulation.

(2) An application under subsection (1) must be in a form established by the Commission and must

(a) include all the information required by the Commission, and

(b) if the eligible generating unit is not yet connected to the distribution owner's distribution system, specify the date on which the owner of the eligible generating unit proposes to connect to the electric distribution system to supply electric energy

(i) to the interconnected electric system, or

(ii) in the case of an eligible generating unit in an isolated community, to the distribution system.

(3) On receipt of an application under subsection (1), the distribution owner must

(a) determine whether the eligible generating unit in the application qualifies as a small scale generating unit, and

(b) within 30 days of receipt of the application, give the owner of the eligible generating unit, the Balancing Pool and the Commission

(i) notice in writing that the generating unit is qualified as a small scale generating unit, or

(ii) a notice of dispute in a form established by the Commission, including all information required by the Commission.

(4) On receipt of a notice of dispute, the Commission must, within 30 days,

(a) determine whether the generating unit in the notice qualifies as a small scale generating unit, and

(b) communicate its decision to the distribution owner, the Balancing Pool and the owner of the eligible generating unit.

(5) The decision of the Commission under subsection (4) is final and is not subject to appeal.

(6) A small scale power producer who intends to increase the total nameplate capacity of the small scale power producer's facility by adding another eligible generating unit to the facility must make an application to the distribution owner in respect of that eligible generating unit in accordance with this section.

Application to qualify as community generation

3(1) A small scale power producer who owns a small scale generating unit that is the subject of a community benefits agreement or a community benefits statement may apply to the Commission to have it qualified as a community generating unit under this Regulation.

(2) An application under subsection (1) must be in a form established by the Commission and must include

(a) the community benefits agreement or community benefits statement that applies to the small scale generating unit, and

(b) any other information required by the Commission.

(3) The Commission must, in accordance with the applicable rules established by the Commission, on receipt of the application under subsection (1) and the information under subsection (2),

(a) determine whether the small scale generating unit in the application qualifies as a community generating unit,

(b) if it is qualified, determine the amount that the distribution owner should be compensated for in relation to the costs incurred under section 5(2)(a) or (3)(a)(i),

(c) give notice to the owner of the small scale generating unit, the Balancing Pool, the ISO and the applicable distribution owner that the generating unit is or is not qualified as a community generating unit, and

(d) give notice of any determination under clause (b) to the ISO and the applicable distribution owner.

(4) A decision of the Commission under subsection (3) is final and is not subject to appeal.

Connection and metering

4(1) Following a determination under section 2 that a generating unit qualifies as a small scale generating unit, the distribution owner must within a reasonable time

(a) connect the small scale generating unit to the distribution owner's distribution system, if the generating unit is not already connected, and

(b) ensure that a meter suitable for the nameplate capacity of the small scale generating unit is installed at the interconnection point.

(2) A distribution owner must,

(a) provide metering services for small scale generating units within its service area, and

(b) ensure that the meter data manager provides meter data in respect of small scale generating units to service providers, load settlement agents and the ISO.

Costs of connection, metering and operation

5(1) A small scale power producer is responsible for

(a) all costs of connecting the small scale generating unit including

(i) the cost of purchase and installation of the meter that may be required,

(ii) the costs of any electric energy transfer facilities that may be required in order to effect the connection, and

(iii) any other costs incurred by the distribution owner that may be required to enable the small scale generating unit to supply electric energy

(A) to the interconnected electric system, or

(B) within an isolated community;

(b) the costs incurred by the distribution owner under section 4(2), and

(c) all costs of operation of the small scale generating unit, including the costs of complying with applicable laws.

(2) Notwithstanding subsection (1), if the small scale generating unit is a community generating unit that is not within an isolated community

(a) the distribution owner must purchase the meter that is installed under section 4(1)(b) for the community generating unit, to a maximum of one meter per facility, and

(b) the ISO must

(i) compensate the distribution owner for the amount determined by the Commission under section 3(3)(b), and

(ii) recover the amount in subclause (i) through the applicable ISO tariff or ISO fee, as approved by the Commission.

(3) Notwithstanding subsection (1), if the small scale generating unit is a community generating unit that is located within an isolated community,

(a) the distribution owner

(i) must purchase the meter that is installed under section 4(1)(b) for the community generating unit, to a maximum of one meter per facility, and

(ii) is responsible for the cost of system reliability upgrades that may be required to supply electric energy from the community generating unit to the distribution system,

and

(b) the ISO must

(i) compensate the distribution owner for the amount determined by the Commission under section 3(3)(b), and

(ii) recover the amount in subclause (i) through the applicable ISO tariff or ISO fee, as approved by the Commission.

Deemed offer of zero cents

6(1) A small scale generating unit is deemed to have a standing offer of zero dollars per megawatt hour for the electric energy offered to the power pool from the small scale generating unit.

(2) A small scale generating unit in an isolated community is deemed to have a standing offer of zero dollars per megawatt hour for the electric energy supplied from the small scale generating unit, as if it was offered to the power pool.

Exchange and settlement duties and costs

7(1) Unless a small scale power producer requests otherwise in writing, the Balancing Pool

(a) must act as the market participant on behalf of the small scale power producer in dealings with the ISO in respect of the electric energy supplied by the small scale power producer's small scale generating unit

(i) to the interconnected electric system, or

(ii) to the distribution system, in the case of a small scale generating unit that is connected to the distribution system within in an isolated community,

and

(b) unless the small scale generating unit is located within an isolated community, is responsible for exchanging, including dispatching and receiving payments related to financial settlement, through the power pool the electric energy produced by the small scale power producer's small scale generating unit that enters the interconnected electric system.

(2) If a small scale generating unit is located within an isolated community, the distribution owner for that service area

(a) is responsible for exchanging, including dispatching, the electric energy produced by the small scale generating unit that enters the distribution system, and

(b) must submit to the ISO on a monthly basis the hourly metering data for the electric energy produced by the small scale generating unit that enters the distribution system.

(3) Each month the Balancing Pool shall pay an amount to the small scale power producer for electric energy supplied out of the small scale power producer's small scale generating unit at the hourly pool price for each hour in the previous ISO settlement period.

(4) The ISO must compensate the Balancing Pool for the electric energy supplied out of a small scale generating unit through the ISO's financial settlement system.

Small scale generating unit not isolated generating unit

8(1) A small scale generating unit that is within an isolated community may not be designated by the Commission under section 27.1(3) of the *Isolated Generating Units and Customer Choice Regulation* (AR 165/2003) as an isolated generating unit.

(2) Costs incurred by the distribution owner under sections 5(3)(a)(ii) and 7(2) are costs associated with providing electric energy to customers in the isolated community under section 2(b) of the *Isolated Generating Units and Customer Choice Regulation* (AR 165/2003).

Change to small scale generating unit

9(1) A small scale power producer who intends to make any changes to the small scale power producer's small scale generating unit shall provide to the applicable distribution owner a notice to that effect, in a form established by the Commission.

(2) On request from the applicable distribution owner, a small scale power producer must provide sufficient information to enable the distribution owner to determine if the small scale power producer's small scale generating unit continues to be a small scale generating unit or will continue to be a small scale generating unit after making a change.

(3) If a distribution owner, on receipt of a notice under subsection (1) or information under subsection (2), is of the opinion that the small scale power producer's small scale generating unit has ceased to be an eligible generating unit or will cease to be an eligible generating unit after the change, the distribution owner may, within 30 days of receipt of the notice or information from the small scale power producer and on notice in writing to the small scale power producer, file with the Commission a notice of dispute in a form established by the Commission and including all information required by the Commission.

(4) The Commission, on receipt of a notice of dispute under subsection (3), must, within 30 days or such longer period as the Commission, on notice to the distribution owner and the small scale power producer, considers necessary,

(a) determine whether the small scale power producer's small scale generating unit continues, or will continue to be, a small scale generating unit after the change, and

(b) communicate its decision to the distribution owner, the small scale power producer and the Balancing Pool.

(5) The decision of the Commission under subsection (4) is final and is not subject to appeal.

Change to community generating unit

10(1) The owner of a community generating unit must provide notice to the Commission in a form established by the Commission of any changes that may make the community generating unit cease to be a community generating unit, including, without limitation, changes to

(a) the owner's community generating unit,

(b) the owner's community benefits agreement or community benefits statement,

(c) the status of the community group named in the community benefits agreement or community benefits statement or

(d) the benefits received by the community group under the community benefits agreement or community benefits statement.

(2) An applicable distribution owner that is aware of any changes described in subsection (1) must provide notice to the Commission in a form established by the Commission.

(3) The Commission, on receipt of a notice under subsection (1) or (2), must, within 30 days or such longer period as the Commission, on notice to the owner of the community generating unit, considers necessary,

(a) determine if the owner's community generating unit continues to be a community generating unit, and

(b) communicate its decision to the owner of the community generating unit, the distribution owner, the ISO and the Balancing Pool.

(4) The decision of the Commission under subsection (3) is final and is not subject to appeal.

Coming into force

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

Alberta Regulation 195/2018

Feeder Associations Guarantee Act

FEEDER ASSOCIATIONS GUARANTEE AMENDMENT REGULATION

Filed: November 20, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 342/2018) on November 20, 2018 pursuant to section 11 of the Feeder Associations Guarantee Act.

1 The *Feeder Associations Guarantee Regulation* (AR 13/2012) is amended by this Regulation.

2 Section 30(2) is repealed and the following is substituted:

(2) The amount of an advance given to a feeder member under subsection (1)

(a) for livestock supplied to the feeder member under a member agreement that has been forward contracted or price insured must not exceed 75% of the difference between the purchase price and either

(i) a pre-determined sale price set in a forward contract, or

(ii) an insured sale price from an entity referred to in section 13(d),

or

(b) must not exceed 50% of the difference between the purchase price and the fair market value determined under subsection (1).

3 Section 31(1) is amended by striking out "$1 000 000" **wherever it occurs and substituting** "$2 000 000".

Alberta Regulation 196/2018

Climate Leadership Act

CLIMATE LEADERSHIP AMENDMENT REGULATION

Filed: November 20, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 346/2018) on November 20, 2018 pursuant to section 79 of the Climate Leadership Act.

1 The *Climate Leadership Regulation* (AR 175/2016) is amended by this Regulation.

2 Section 24 is amended by adding the following after subsection (1):

(1.1) The Minister may pay a rebate under section 19 of the Act in respect of the carbon levy paid on clear fuel if the fuel was used

(a) in equipment that is specified by the Minister to be a service rig, and

(b) in a production process before 2023.

3 This Regulation is deemed to have come into force on January 1, 2017.

Alberta Regulation 197/2018

Judgment Interest Act

JUDGMENT INTEREST AMENDMENT REGULATION

Filed: November 20, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 347/2018) on November 20, 2018 pursuant to section 4 of the Judgment Interest Act.

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

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

(aa) the interest rate from January 1, 2019 to December 31, 2019 is prescribed at 2.2% per year.

Alberta Regulation 198/2018

Justice of the Peace Act

JUSTICE OF THE PEACE AMENDMENT REGULATION

Filed: November 20, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 348/2018) on November 20, 2018 pursuant to section 15 of the Justice of the Peace Act.

1 The *Justice of the Peace Regulation* (AR 6/99) is amended by this Regulation.

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

Jurisdiction of justices

3(1) Subject to subsection (2), a justice of the peace may hear, try and determine matters arising under the following:

(a) the *Animal Protection Act*;

(b) the *Dangerous Dogs Act*;

(c) the *Dangerous Goods Transportation and Handling Act*;

(d) the *Fisheries (Alberta) Act*;

(e) the *Forests Act*;

(f) the *Fuel Tax Act*;

(g) provisions of the *Gaming, Liquor and Cannabis Act* that relate to liquor or cannabis matters;

(h) the *Government Property Traffic Act* (Canada);

(i) the *Livestock Identification and Commerce Act*;

(j) the *Livestock and Livestock Products Act*;

(k) the *Occupational Health and Safety Act* for which a specified penalty is set out in Parts 16 and 17 of the Schedule to the *Procedures Regulation* (AR 63/2017);

(l) the *Petty Trespass Act*;

(m) the *Provincial Offences Procedure Act*, section 5;

(n) a provision of

(i) the *Provincial Parks Act*, or

(ii) the *Provincial Parks (General) Regulation* (AR 102/85)

for which a specified penalty is set out in Part 19 of the Schedule to the *Procedures Regulation* (AR 63/2017);

(o) the *Railway Safety Act* (Canada);

(p) the *School Act*, section 27(1);

(q) the *Security Services and Investigators Act* for which a specified penalty is set out in Parts 25, 26 and 27 of the Schedule to the *Procedures Regulation* (AR 63/2017);

(r) the *Stray Animals Act*;

(s) the *Tobacco and Smoking Reduction Act*;

(t) the *Tobacco Tax Act*, sections 3(1), 4(3), (4) and (5) and 4.1;

(u) the *Traffic Safety Act*;

(v) the *Trespass to Premises Act*;

(w) the *Wildlife Act*;

(x) the *Youth Justice Act*, section 20;

(y) any regulations or orders made under any Act referred to in clauses (a) to (f) and (h) to (x);

(z) a provision of

(i) the *Environmental Protection and Enhancement Act*, or

(ii) a regulation made under that Act

for which a specified penalty is set out in Parts 3, 4 and 5 of the Schedule to the *Procedures Regulation* (AR 63/2017);

(aa) the *Alberta Fishery Regulations*, 1998 (Canada) (SOR/98-246) made under the *Fisheries Act* (Canada);

(bb) regulations made under Schedule 11 of the *Government Organization Act*;

(cc) regulations made under the *Gaming, Liquor and Cannabis Act* that relate to liquor or cannabis matters or to contraventions that relate to self-exclusion programs within

the meaning of section 34.2(4) of the *Gaming, Liquor and Cannabis Regulation* (AR 143/96);

(dd) provisions of the *Youth Justice Act*, to the extent that those provisions deal with statutes, regulations, bylaws and orders referred to in clauses (a) to (ff);

(ee) any bylaw of a municipality or a Metis settlement;

(ff) any orders made by the Minister of Municipal Affairs in respect of an improvement district or special area;

(gg) a provision of

(i) the *Residential Tenancies Act*, or

(ii) a regulation made under that Act

for which a specified penalty is set out in Parts 22 and 23 of the Schedule to the *Procedures Regulation* (AR 63/2017);

(hh) a provision of the *Insurance Act* for which a specified penalty is set out in Part 15 of the Schedule to the *Procedures Regulation* (AR 63/2017).

Alberta Regulation 199/2018

Climate Change and Emissions Management Act

CARBON COMPETITIVENESS INCENTIVE AMENDMENT REGULATION

Filed: November 20, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 352/2018) on November 20, 2018 pursuant to sections 5 and 60 of the Climate Change and Emissions Management Act.

1 The *Carbon Competitiveness Incentive Regulation* (AR 255/2017) is amended by this Regulation.

2 Section 7 is amended

(a) by adding the following before subsection (1):

(0.1) In this section,

(a) "Class III well" means a well that is classified as a Class III well under Directive 051: Injection and Disposal Wells – Well Classifications, Completions, Logging and Testing Requirements, published by the Alberta Energy Regulator, as amended from time to time;

(b) "raw gas" means raw gas as defined in the *Oil and Gas Conservation Act*.

(b) in subsection (2)

(i) in the formula by adding "ECF -" **after** "DE -";

(ii) by adding the following after the description of variable "DE":

ECF is the amount of specified gases released from the combustion of clear fuel, as defined in the *Climate Leadership Act*, for the reporting period, expressed in tonnes on a CO_2e basis;

(iii) by repealing the description of variable "ICO_2" **and substituting the following:**

ICO_2 is the amount of carbon dioxide expressed in tonnes imported by the facility during the reporting period from a different facility to which this Regulation applies, excluding any carbon dioxide removed from raw gas and disposed of, as an acid gas stream, to an underground formation through a Class III well in a scheme approved under section 39(1)(d) of the *Oil and Gas Conservation Act*;

(iv) by repealing the description of variable "ECO_2" **and substituting the following:**

ECO_2 is the amount of carbon dioxide expressed in tonnes exported from the facility during the reporting period, excluding any carbon dioxide removed from raw gas and disposed of, as an acid gas stream, to an underground formation through a Class III well in a scheme approved under section 39(1)(d) of the *Oil and Gas Conservation Act*;

3 Section 35 is amended

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

Transitional

35(1) Notwithstanding section 4(3)(c), in the case of an application under section 4(2) for a facility to be designated as an opted-in facility for 2019, the application must be received by the director on or before December 31, 2018.

(b) by repealing subsection (4.1) and substituting the following:

(4.1) Notwithstanding section 34.2(2)(f), in the case of an application under section 34.2(1) for a cost containment designation to be issued in respect of a facility for 2018 or 2019, the application must be received by the Minister on or before December 31, 2018.

4 Schedule 2 is amended

(a) in section 1(1)

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

(b.1) "ethylene glycol" means

(i) monoethylene glycol,

(ii) diethylene glycol,

(iii) triethylene glycol,

(iv) an ethylene glycol, other than polyethylene glycol, that is heavier than triethylene glycol, or

(v) a combination of 2 or more glycols, other than polyethylene glycol, referred to in subclauses (i) to (iv);

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

(c.01) "high value chemicals" means all ethylene and associated by-products, other than hydrogen, that result from the ethylene production process, including, without limitation, propylene, butadiene and benzene;

(iii) in clause (c.1) by striking out "means hydrogen exported" **and substituting** "means, except in clause (c.01), hydrogen that is exported";

(b) by repealing the Table and substituting the following:

Table
Established Benchmarks for Products

Product	Established benchmark for 2018 (tonnes of CO_2e per benchmark unit)	Established benchmark for 2019 (tonnes of CO_2e per benchmark unit)	Established benchmark for 2020 (tonnes of CO_2e per benchmark unit)	Established benchmark for 2021 (tonnes of CO_2e per benchmark unit)	Established benchmark for 2022 (tonnes of CO_2e per benchmark unit)	Established benchmark for 2023 and subsequent years (tonnes of CO_2e per benchmark unit) is determined as follows:	Benchmark unit
Ammonia	1.942	1.942	1.935	1.928	1.921	*BE = **BE_{Y-1} - ***0.007	Tonne
Ammonium nitrate	0.3260	0.3260	0.3250	0.3240	0.3230	BE = BE_{Y-1} - 0.0010	Tonne
Bituminous coal	0.07053	0.07053	0.06982	0.06911	0.06840	BE = BE_{Y-1} - 0.00071	Tonne
Cement	0.7853	0.7853	0.7823	0.7793	0.7763	BE = BE_{Y-1} - 0.0030	Tonne
Electricity	0.3700	0.3700	0.3663	0.3626	0.3589	BE = BE_{Y-1} - 0.0037	Megawatt hour
Ethylene glycol	0.4946	0.4946	0.4921	0.4896	0.4871	BE = BE_{Y-1} - 0.0025	Tonne
Hardwood kraft pulp	0.2032	0.2032	0.2012	0.1992	0.1972	BE = BE_{Y-1} - 0.0020	Air dry metric tonne
High value chemicals	0.4850	0.4850	0.4801	0.4752	0.4703	BE = BE_{Y-1} - 0.0049	Tonne
Hydrogen	9.068	9.068	8.977	8.886	8.795	BE = BE_{Y-1} - 0.091	Tonne
Industrial heat	0.06299	0.06299	0.06236	0.06173	0.06110	BE = BE_{Y-1} - 0.00063	Gigajoule
Oil sands in situ bitumen	0.3504	0.3504	0.3469	0.3434	0.3399	BE = BE_{Y-1} - 0.0035	m3 of bitumen
Oil sands mining bitumen	0.1954	0.1954	0.1934	0.1914	0.1894	BE = BE_{Y-1} - 0.0020	m3 of bitumen
Refining	3.831	3.831	3.793	3.755	3.717	BE = BE_{Y-1} - 0.038	Alberta complexity weighted barrel (in thousands)
Softwood kraft pulp	0.3015	0.3015	0.2985	0.2955	0.2925	BE = BE_{Y-1} - 0.0030	Air dry metric tonne

Note: The values in the columns for 2020, 2021 and 2022 reflect the application of an annual 1% tightening rate.
*BE is the established benchmark for the year.
**BE_{Y-1} is the established benchmark for the previous year.
*** is the tightening rate.

Alberta Regulation 200/2018

Marketing of Agricultural Products Act

ALBERTA SUGAR BEET GROWERS NEGOTIATION, MEDIATION AND ARBITRATION (EXPIRY DATE EXTENSION) AMENDMENT REGULATION

Filed: November 20, 2018

For information only: Made by the Alberta Agricultural Products Marketing Council on October 22 and approved by the Minister of Agriculture and Forestry on November 15, 2018, 2018 pursuant to section 33 of the Marketing of Agricultural Products Act.

1 The *Alberta Sugar Beet Growers Negotiation, Mediation and Arbitration Regulation* (AR 285/97) is amended by this Regulation.

2 Section 39 is amended by striking out "November 30, 2018" **and substituting** "November 30, 2020".

Alberta Regulation 201/2018

Health Professions Act

REGISTERED NURSES PROFESSION AMENDMENT REGULATION

Filed: November 22, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 353/2018) on November 23, 2018 pursuant to section 131 of the Health Professions Act.

1 The *Registered Nurses Profession Regulation* (AR 232/2005) is amended by this Regulation.

2 Section 1 is amended

(a) in clause (a) by striking out "approved by the Nursing Education Program Approval Board" **and substituting** "in Alberta approved by the Nursing Education Program Approval Committee";

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

(a.1) "approved nurse practitioner program" means a nurse practitioner education program in Alberta approved by the Nursing Education Program Approval Committee in

accordance with nursing education standards and criteria approved by the Council;

(a.2) "Bylaws" means the bylaws made by the Council under section 132 of the Act;

(c) in clause (b) by adding "register" **before** "category";

(d) in clause (g) by adding "register" **before** "category";

(e) by repealing clause (i);

(f) in clause (j) by adding "register" **before** "category";

(g) by repealing clause (k) and substituting the following:

(k) "Nursing Education Program Approval Committee" means the Nursing Education Program Approval Committee continued pursuant to the Bylaws;

(h) by adding the following before clause (l):

(k.1) "practice year" means a practice year as defined in the Bylaws;

(k.2) "provisional register" means the provisional register category of the regulated members register;

(i) in clause (l) by adding "register" **before** "category";

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

(p.1) "Standards of Practice" means the standards of practice adopted by the Council in accordance with the Bylaws and section 133 of the Act.

(k) by repealing clause (q).

3 Section 2 is amended by repealing clause (d) and substituting the following:

(d) provisional register;

4 Section 3 is repealed and the following is substituted:

Registered nurse register — new applicants

3(1) An applicant for registration as a regulated member on the registered nurse register who has not previously been registered on the registered nurse register must

(a) have successfully completed as an education requirement either

(i) on and before December 31, 2009, a diploma or baccalaureate degree in nursing from an approved nursing program, or

(ii) on and after January 1, 2010, a baccalaureate degree in nursing from an approved nursing program,

(b) have passed the applicable registration exam, and

(c) have successfully completed the applicable jurisprudence requirement approved by the Council, if any.

(2) An applicant for registration under subsection (1) must complete the registration process within the 5 years immediately following the date of completion of the applicable education requirement referred to in subsection (1)(a).

(3) Despite subsection (2), an applicant who meets the requirements of subsection (1) but does not meet the requirements of subsection (2) may be registered as a regulated member on the registered nurse register if the applicant has met any additional requirements imposed by the Registration Committee.

5 Section 4 is repealed and the following is substituted:

Nurse practitioner register — new applicants

4(1) An applicant for registration as a regulated member on the nurse practitioner register who has not previously been registered on the nurse practitioner register must

(a) have successfully completed

(i) a master's degree in nursing from an approved nurse practitioner program, or

(ii) a post-master's certificate or diploma from an approved nurse practitioner program,

(b) have completed 4500 hours of registered nursing practice satisfactory to the Registration Committee,

(c) be registered on the registered nurse register,

(d) have passed the applicable registration exam, and

(e) have successfully completed the applicable jurisprudence requirement approved by the Council, if any.

(2) An applicant for registration under subsection (1) must, after completing a degree, certificate or diploma referred to in subsection (1)(a), complete the registration process within the time period set by the Council.

(3) Despite subsection (2), an applicant who meets the requirements of subsection (1) but does not meet the requirements of subsection (2) may be registered as a regulated member on the nurse practitioner register if the applicant has met any additional requirements imposed by the Registration Committee.

6 Section 5 is repealed and the following is substituted:

Certified graduate nurse register

5 An applicant for registration as a regulated member on the certified graduate nurse register who is not currently registered on the certified graduate nurse register must

(a) have previously been registered on the certified graduate nurse register, or

(b) be eligible to be registered on the certified graduate nurse register under section 8.

7 Section 6 is repealed and the following is substituted:

Provisional registration

6(1) An applicant who has applied for registration as a regulated member on the registered nurse register or the nurse practitioner register who has not successfully completed the applicable registration exam or the jurisprudence requirement but has otherwise fulfilled the registration requirements set out in section 3, 4, 8 or 9 may, at the discretion of the Registrar, be registered on the provisional register until the applicant meets the requirements for registration.

(2) A regulated member registered on the provisional register may only practise

(a) in accordance with conditions specified by the Registrar or Registration Committee, and

(b) while being supervised in accordance with the Standards of Practice.

(3) The registration of a regulated member on the provisional register is valid for 6 months or a shorter period specified by the Registrar.

(4) The registration of a regulated member on the provisional register may be renewed, but, except as provided by subsections (7) and (8), a regulated member may not be registered on the provisional register for more than a total period of 12 months.

(5) If a regulated member registered on the provisional register fails the applicable registration exam once, the Registrar or Registration Committee may specify additional conditions under subsection (2)(a).

(6) If a regulated member registered on the provisional register fails the applicable registration exam twice, the Registrar shall cancel the regulated member's registration on the provisional register.

(7) If a regulated member registered on the provisional register satisfies the Registration Committee that there are extenuating circumstances that prevent the regulated member from successfully completing the applicable registration exam or jurisprudence requirement within 12 months after being registered on the provisional register, the Registration Committee may direct the Registrar to renew the registration of the regulated member on the provisional register, but the regulated member may not be registered on the provisional register for more than a total period of 18 months.

(8) In the case of the registration of a regulated member as a graduate nurse practitioner, the registration of the regulated member may be renewed so that the regulated member is registered on the provisional register for more than one year but not more than 2 years, if, in the opinion of the Registrar, it is necessary to renew the registration because the registration exam the regulated member is required to pass for the purposes of section 4(1)(d) may not be offered, or may not be offered in time for the results of the exam to be available, during the first year the regulated member is registered on the provisional register.

(9) If a regulated member registered on the provisional register meets the requirements for registration on the registered nurse register or the nurse practitioner register, the Registrar must remove the regulated member's name from the provisional register and enter it on the appropriate category of the regulated members register.

8 Section 7 is repealed and the following is substituted:

Courtesy registration

7(1) A person is eligible for registration on the courtesy register if

(a) the person is registered and in good standing as a registered nurse or nurse practitioner or equivalent in another jurisdiction recognized by the Council as having substantially equivalent competencies and practice requirements as those of a registered nurse or nurse practitioner,

(b) the person requires registration in Alberta on a temporary basis for a specified purpose approved by the Registrar, and

(c) the person satisfies the Registrar that the person has the competence to provide the services related to the specified purpose.

(2) The registration of a person registered on the courtesy register is valid for the term specified by the Registrar, which must not exceed one year.

(3) On registering a person on the courtesy register, the Registrar shall set out on the courtesy register the title and initials referred to in section 14 that the person is authorized to use.

9 Section 8 is repealed and the following is substituted:

Equivalent jurisdiction

8 An applicant for registration on the registered nurse register, the certified graduate nurse register or the nurse practitioner register is eligible to be registered on the registered nurse register, the certified graduate nurse register or the nurse practitioner register, respectively, if the applicant

(a) is currently registered in good standing in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having substantially equivalent competence and practice requirements,

(b) meets the requirements of section 10.1, and

(c) successfully completes the applicable jurisprudence requirement approved by the Council, if any.

10 Section 9 is amended

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

Substantial equivalence

9(1) An applicant who does not meet the requirements of section 3 or 4 but who the Registrar is satisfied under section 28(2)(c) of the Act has a combination of education, experience, practice or other qualifications that demonstrate the competence required for registration as a regulated member may be registered on the appropriate register if the applicant

(a) passes the applicable registration exam within the time specified by the Registrar,

(b) meets the requirements of section 10.1, and

(c) has successfully completed the applicable jurisprudence requirement approved by the Council, if any.

(b) by repealing subsections (4) and (5) and substituting the following:

(4) The Registrar may require an applicant referred to in subsection (1) to provide any information or evidence the Registrar or Registration Committee considers necessary to assess the applicant's application.

(5) Despite subsection (1)(a), the Registration Committee may waive the requirement to have passed the applicable registration exam if there are extenuating circumstances and the Registration Committee is of the opinion that the applicant has sufficient registered nursing experience, knowledge and competence.

11 Section 10 is repealed and the following is substituted:

Registration exam

10(1) An applicant for registration as a regulated member on the registered nurse register must pass the applicable registration exam within 2 years after completion of the educational requirement referred to in section 3(1)(a)(i) or (ii).

(2) An applicant for registration as a regulated member on the nurse practitioner register must pass the applicable registration exam within 3 years after completion of the educational program referred to in section 4(1)(a)(i) or (ii).

(3) If an applicant for registration as a regulated member on the registered nurse register does not pass the applicable registration exam within 2 years after completion of the educational requirement referred to in section 3(1)(a)(i) or (ii), the applicant must, before writing or rewriting the applicable registration exam, as the case may be, successfully complete

(a) an approved nursing program leading to initial entry to practise as a registered nurse,

(b) a nursing education program in a province or territory of Canada other than Alberta that is approved or recognized by the regulatory body in that province or territory having authority to approve or recognize nursing education programs leading to initial entry to practise as a registered nurse, or

(c) additional educational requirements or other requirements determined by the Registrar or the Registration Committee.

(4) If an applicant for registration as a regulated member on the nurse practitioner register does not pass the applicable registration exam within 3 years after completion of the educational requirement referred to in section 4(1)(a)(i) or (ii), the applicant must, before rewriting the applicable registration exam, successfully complete

(a) a master's degree in nursing from an approved nurse practitioner program,

(b) a post-master's certificate or diploma from an approved nurse practitioner program,

(c) a nurse practitioner education program in a province or territory of Canada other than Alberta that is approved or recognized by the regulatory body in that province or territory having authority to approve or recognize nurse practitioner education programs leading to initial entry to practise as a nurse practitioner, or

(d) additional educational requirements or other requirements determined by the Registrar or the Registration Committee.

(5) Despite anything in this section, if an applicant for registration on the registered nurse register or nurse practitioner register satisfies the Registration Committee that there are extenuating circumstances, the Registration Committee may allow the applicant one or more attempts to pass the applicable registration exam after the applicable period referred to in subsection (1) or (2).

Currency of practice

10.1(1) This section applies to the following applicants:

(a) an applicant for registration as a regulated member on the registered nurse register, the certified graduate nurse register or the nurse practitioner register who was previously registered on the registered nurse register, the certified

graduate nurse register or the nurse practitioner register but is not currently registered on the register;

(b) an applicant for registration under section 8 or 9;

(c) an applicant for a renewal of a practice permit as a registered nurse, certified graduate nurse or nurse practitioner.

(2) An applicant who is applying for registration as a regulated member on the registered nurse register or the certified graduate nurse register, or for the renewal of a practice permit as a registered nurse or certified graduate nurse, must provide evidence satisfactory to the Registrar that the applicant has, within the 5 complete practice years immediately preceding the date the application is received by the Registrar,

(a) successfully completed a degree or nursing program or course satisfactory to the Registrar,

(b) had 1125 hours of nursing practice satisfactory to the Registrar, or

(c) successfully completed a program leading to re-entry to nursing practice approved by the Nursing Education Program Approval Committee.

(3) An applicant who is applying for registration as a regulated member on the nurse practitioner register, or for the renewal of a practice permit as a nurse practitioner, must provide evidence satisfactory to the Registrar that the applicant has, within the number of complete practice years as specified by the Council immediately preceding the date the application is received by the Registrar,

(a) successfully completed the educational requirement referred to in section 4(1)(a)(i) or (ii), or

(b) had the number of hours established by the Council as the required number of hours for the purposes of this section of nurse practitioner practice satisfactory to the Registrar.

(4) Despite subsections (2) and (3), an applicant who does not meet the requirements of subsection (2) or (3) may instead meet other requirements determined by the Registration Committee.

12 Section 11 is renumbered as section 11(1) and is amended

(a) in subsection (1)

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

(b) a written statement by the applicant as to whether the applicant

(i) is currently undergoing an investigation or is subject to an unprofessional conduct process,

(ii) has ever been disciplined, or

(iii) has ever had conditions imposed on the applicant's practice

by a regulatory body responsible for the regulation of registered nursing in a jurisdiction other than Alberta or by a regulatory body responsible for the regulation of any other profession in Alberta or another jurisdiction;

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

(b.1) a written statement by the applicant as to whether an application for registration as a regulated member by the applicant in any other jurisdiction was ever previously rejected or refused;

(b.2) the results of a current criminal records check;

(iii) by repealing clause (c) and substituting the following:

(c) a written statement as to whether the applicant has ever pleaded guilty or has been found guilty of a criminal offence in Canada or an offence of a similar nature in a jurisdiction outside Canada for which neither

(i) a record suspension under the *Criminal Records Act* (Canada), nor

(ii) a pardon

is in effect;

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

(c.1) a written statement by the applicant as to whether there has ever been a judgment in a civil action against the applicant with respect to the applicant's practice;

(v) by repealing clause (d) and substituting the following:

(d) any other relevant evidence as required by the Registrar.

(b) by adding the following after subsection (1):

(2) If an applicant has engaged in an activity that has, in the opinion of the Registrar, undermined the applicant's good character and reputation, the applicant may provide evidence satisfactory to the Registrar of rehabilitation.

(3) The Registrar may also consider information other than that provided by the applicant in determining whether the applicant is of good character and reputation, but if the Registrar considers other information, the Registrar must give the applicant sufficient particulars of that information to allow the applicant to respond to that information.

13 The following is added after section 12:

Liability insurance

12.1 An applicant for registration as a regulated member must provide evidence satisfactory to the Registrar of having the type and amount of professional liability insurance required by the Council.

14 Section 13 is amended by striking out "whose first language is not English".

15 Section 14 is amended

(a) in subsection (1) by striking out "registered nurse and the initials RN" **and substituting** " "registered nurse" and the initials "RN" ";

(b) in subsection (2) by striking out "certified graduate nurse and the initials CGN" **and substituting** " "certified graduate nurse" and the initials "CGN" ";

(c) by repealing subsection (3);

(d) in subsection (4) by striking out "used the title nurse practitioner and the initials NP" **and substituting** "use the title "nurse practitioner" and the initials "NP" ";

(e) by repealing subsection (5) and substituting the following:

(5) A regulated member registered on the registered nurse register or on the nurse practitioner register may, in accordance with the Standards of Practice, use the title "specialist" in connection with providing professional services.

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

(6) A regulated member registered on the provisional register as a graduate nurse may use the title "graduate nurse" and the initials "GN".

(7) A regulated member registered on the provisional register as a graduate nurse practitioner may use the title "graduate nurse practitioner" and the initials "GNP".

(8) A regulated member registered on the courtesy register as a registered nurse may use the title "registered nurse" and the initials "RN".

(9) A regulated member registered on the courtesy register as a nurse practitioner may use the title "nurse practitioner" and the initials "NP".

16 The following is added before section 15:

Restrictions

14.1(1) Despite sections 15 to 18, regulated members must restrict themselves in performing restricted activities to those activities that they are competent to perform and to those that are appropriate to their area of practice and the procedures being performed.

(2) A regulated member who performs a restricted activity must do so in accordance with the Standards of Practice.

(3) A regulated member or other person shall not supervise the performance of a restricted activity unless the regulated member or person is authorized or permitted to perform the restricted activity without being supervised.

(4) A regulated member or other person who supervises the performance of a restricted activity under sections 15 to 18 must do so in accordance with the Standards of Practice.

17 Section 15 is amended

(a) in subsection (1)

(i) by striking out the words preceding clause (a) and substituting the following:

Authorized restricted activities

15(1) A regulated member registered on any register may, within the practice of registered nursing, perform the following restricted activities:

(ii) in clause (d) by striking out "except for a partial dislocation of the joints of the fingers and toes";

(iii) in clause (e) by striking out "within the meaning of the *Pharmaceutical Profession Act*";

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

(j.1) to order or apply non-ionizing radiation in ultrasound imaging, other than the application of ultrasound to a fetus;

(b) by repealing subsection (2) and substituting the following:

(2) Despite subsection (1)(e), a regulated member registered on any register performing the restricted activity described in subsection (1)(e) shall not distribute, trade or barter for money or valuable consideration, or keep for sale or offer for sale, a Schedule 1 drug or a Schedule 2 drug but may distribute or give away a Schedule 1 drug or a Schedule 2 drug without expectation or hope of compensation or reward.

(2.1) A regulated member registered on the registered nurse register may, within the practice of registered nursing, perform the restricted activity of ordering any form of ionizing radiation in medical radiography.

(2.2) A regulated member registered on the registered nurse register who meets the requirements approved by the Council and who has been authorized to do so by the Registrar may, within the practice of registered nursing, perform the restricted activity of prescribing a Schedule 1 drug.

(c) by repealing subsection (3);

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

(4) A regulated member registered on the registered nurse register or on the certified graduate nurse register may, within the

practice of registered nursing, perform the restricted activity of applying non-ionizing radiation in ultrasound imaging to a fetus, but only under the supervision of a person who provides health services and who is authorized by this Regulation or another regulation under the Act or by another enactment to apply ultrasound to a fetus.

(e) by repealing subsection (5) and substituting the following:

(5) A regulated member registered on the nurse practitioner register, a regulated member registered on the courtesy register as a nurse practitioner and a regulated member registered on the provisional register as a graduate nurse practitioner may perform the restricted activities listed in subsection (1) and the following additional restricted activities when practising as a nurse practitioner:

(a) to set or reset a fracture of a bone;

(b) to prescribe a Schedule 1 drug;

(c) to prescribe blood or blood products;

(d) to prescribe diagnostic imaging contrast agents;

(e) to prescribe radiopharmaceuticals, radiolabelled substances, radioactive gases or radioaerosols;

(f) to order or apply any form of ionizing radiation in medical radiography;

(g) to order any form of ionizing radiation in nuclear medicine;

(h) to order non-ionizing radiation in magnetic resonance imaging;

(i) to order or apply non-ionizing radiation in ultrasound imaging, including any application of ultrasound to a fetus.

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

(6) In this section,

(a) "Schedule 1 drug" means a Schedule 1 drug within the meaning of Part 4 of the *Pharmacy and Drug Act*;

(b) "Schedule 2 drug" means a Schedule 2 drug within the meaning of Part 4 of the *Pharmacy and Drug Act*.

18 Section 16 is repealed.

19 Section 17 is repealed and the following is substituted:

Supervision of students

17(1) A student who

(a) is enrolled in an approved nursing program, and

(b) is participating in a clinical practicum in Alberta or is employed as an undergraduate nursing employee in Alberta

is permitted to perform the restricted activities set out in section 15(1) under the supervision of a regulated member who is authorized to perform those restricted activities and has consented to supervise the restricted activities.

(2) A student who

(a) is enrolled in a nursing education program in a province or territory of Canada other than Alberta that is approved in that province or territory and that leads to initial entry to practise as a registered nurse, and

(b) is participating in a clinical practicum in Alberta or is employed as an undergraduate nursing employee in Alberta

is permitted to perform the restricted activities set out in section 15(1) under the supervision of a regulated member who is authorized to perform those restricted activities and has consented to supervise the restricted activities.

(3) A student who

(a) is enrolled in a nursing education program in a jurisdiction outside Canada that is approved in that jurisdiction, and

(b) has been authorized by an educational institution in Alberta to participate in a clinical practicum of an approved nursing program in Alberta offered by the educational institution

is permitted to perform the restricted activities set out in section 15(1) under the supervision of a regulated member who is authorized to perform those restricted activities and has consented to supervise the restricted activities.

(4) A regulated member who

(a) is registered on the registered nurse register or registered as a registered nurse on the courtesy register, and

(b) is enrolled in an approved nurse practitioner education program

is permitted to perform the restricted activities set out in section 15(5) under the supervision of a person who is authorized to perform those restricted activities and has consented to supervise the restricted activities.

(5) A regulated member who

(a) is registered on the registered nurse register or registered as a registered nurse on the courtesy register, and

(b) is enrolled in a nurse practitioner education program in a province or territory of Canada other than Alberta that is approved in that province or territory

is permitted to perform the restricted activities set out in section 15(5) under the supervision of a person who is authorized to perform those restricted activities and has consented to supervise the restricted activities.

(6) A regulated member who

(a) is registered on the registered nurse register or registered as a registered nurse on the courtesy register,

(b) is enrolled in a nurse practitioner education program in a jurisdiction outside Canada that is approved in that jurisdiction, and

(c) meets any requirements established by the Council for the purposes of this section

is permitted to perform the restricted activities set out in section 15(5) under the supervision of a person who is authorized to perform those restricted activities and has consented to supervise the restricted activities.

(7) A student who

(a) is enrolled in a health services program of studies, other than an approved nursing program or an approved nurse practitioner program, and

(b) is authorized by an enactment to perform a restricted activity set out in section 15(1) or (5)

is permitted to perform that restricted activity under the supervision of a regulated member who is authorized to perform that restricted activity and has consented to supervise the restricted activity.

20 The following is added after section 17:

Applicants for registration

17.1 An applicant for registration as a regulated member who is required by the Registrar or Registration Committee to take a course that includes a clinical component is, when engaged in the clinical component of the course and to the extent necessary to fulfill the requirements of the clinical component of the course, permitted to perform the restricted activities set out in section 15(1) or (5) under the supervision of a person who is authorized to perform those restricted activities and has consented to supervise the restricted activities.

21 Section 18 is amended

(a) in subsection (1)(a) by striking out "in accordance with subsection (2)";

(b) by repealing subsection (2).

22 Section 19 is repealed and the following is substituted:

Continuing competence program

19 The continuing competence program of the College is established and consists of

(a) practice reflection,

(b) continuing professional development,

(c) competence assessment, and

(d) practice visits.

Practice reflection

19.1(1) As part of the continuing competence program, a regulated member registered on the registered nurse register, the nurse practitioner register or the certified graduate nurse register must, at the times specified by the Council and in accordance with the rules made under section 19.5, complete a practice reflection that includes, in a form satisfactory to the Competence Committee, the following:

(a) a personal assessment of the member's own nursing practice using

(i) the Standards of Practice,

(ii) in the case of a regulated member registered on the nurse practitioner register, the competencies for nurse practitioners established by the Council, and

(iii) other criteria selected by the regulated member from criteria provided for in the rules approved by the Council;

(b) recorded feedback of the regulated member's practice obtained by the regulated member;

(c) the development of a written learning plan that is based on the regulated member's personal assessment of the member's practice under clause (a) and the feedback received about the member's practice under clause (b).

(2) A regulated member referred to in subsection (1) must

(a) make records of the personal assessment, recorded feedback and written learning plan referred to in subsection (1) in a form satisfactory to the Competence Committee and in accordance with the applicable rules made under section 19.5, if any, and

(b) retain the records referred to in clause (a) for the period specified by the Council.

(3) A regulated member referred to in subsection (1) must, on the request of the Competence Committee and in accordance with the direction of the Competence Committee and the applicable rules made under section 19.5, if any, provide evidence of meeting the requirements of this section for the current practice year and for the period specified by the Council.

Continuing professional development

19.2(1) As part of the continuing competence program, a regulated member registered on the registered nurse register, the nurse practitioner register or the certified graduate nurse register must, in each practice year, undertake continuing professional development by

(a) implementing the written learning plan referred to in section 19.1(1)(c) by engaging in learning activities to address learning needs,

(b) preparing a written self-evaluation of the regulated member's learning plan that describes the implementation of the learning plan and the influence that the learning activities

have had on the member's practice and indicates any variations in the learning plan and the reasons for the variations, and

(c) successfully completing mandatory education requirements if required by the rules made under section 19.5.

(2) A regulated member referred to in subsection (1) must

(a) in each practice year make records of all of the activities undertaken by the regulated member under subsection (1), including the written self-evaluation referred to in subsection (1)(b), in a form satisfactory to the Competence Committee and in accordance with the applicable rules made under section 19.5, if any, and

(b) retain the records referred to in clause (a) for a period of 5 years after the end of the practice year in which the continuing professional development activities required by subsection (1) were completed.

(3) A regulated member referred to in subsection (1) must, on the request of the Competence Committee and in accordance with the direction of the Competence Committee and the applicable rules made under section 19.5, if any, provide evidence of meeting the requirements of this section for the current practice year and for the period specified by the Council.

Competence assessment

19.3(1) As part of the continuing competence program, the Competence Committee may require a regulated member registered on the registered nurse register, the nurse practitioner register or the certified graduate nurse register to undergo an assessment for the purpose of evaluating the regulated member's competence.

(2) For the purpose of an assessment under subsection (1), the Competence Committee may use any one or more of the following:

(a) multiple source feedback;

(b) case studies;

(c) peer review;

(d) practice visits;

(e) examinations;

(f) any individualized assessments of professional competence provided for in the rules made under section 19.5.

Actions to be taken

19.4 If the Competence Committee considers a regulated member's practice reflection or continuing professional development activities to be unsatisfactory or that a regulated member has not complied with one or more requirements under section 19.1 or 19.2, or if the results of an assessment of a regulated member's competence under section 19.3 are unsatisfactory, the Competence Committee may, when the regulated member's next application for a practice permit is considered, impose, or recommend the imposition of, one or more of the following conditions on the regulated member's practice permit:

(a) that the regulated member successfully complete specified continuing competence program requirements or professional development activities within a specified time;

(b) that the regulated member successfully complete specified examinations, testing, assessment, training, education or treatment to enhance competence in one or more areas of practice within a specified time;

(c) that the regulated member practise under the supervision of another regulated member or a regulated member of another regulated profession;

(d) that the regulated member's practice be limited to specified procedures or practice settings;

(e) that the regulated member report to the Competence Committee on specified matters on specified dates;

(f) that the regulated member correct any problems identified in the competence assessment;

(g) that the regulated member demonstrate to the Competence Committee competence gained in a specific area within a specified period of time;

(h) any other condition considered appropriate by the Competence Committee.

Continuing competence program rules

19.5(1) The Council may make rules respecting the continuing competence program, including, but not limited to the following:

(a) the requirements pertaining to practice reflections under section 19.1;

(b) the keeping of records under sections 19.1 and 19.2 and the provision of the records to the Competence Committee;

(c) reviews of regulated members' continuing competence program records under section 19.1 or 19.2;

(d) requirements for mandatory education for the purposes of section 19.2(1)(c);

(e) assessments conducted under section 19.3, including rules providing for individualized assessments of professional competence for the purposes of section 19.3(2)(f);

(f) continuing competence program requirements or professional development activities for the purposes of section 19.4(a);

(g) assessment and approval of education as substantially equivalent to required mandatory education;

(h) the approval of criteria established by the Competence Committee for the selection of regulated members for competence assessments, practice visits or both.

(2) The Competence Committee may recommend rules or amendments to the rules to the Council.

(3) Before making or amending a rule under this section, the Council must make the proposed rule or amendment available to all regulated members for their review.

(4) The Council may make a rule or amendment to a rule 60 or more days after the proposed rule or amendment has been made available under subsection (3) and after having considered any comments received on the proposed rule or amendment.

Distribution of rules

19.6 The rules and any amendments to the rules made under section 19.5 must be made available by the College

(a) on the website of the College, and

(b) in printed form on request to any regulated member or applicant for registration as a regulated member.

23 Section 20 is repealed.

24 Section 21 is repealed and the following is substituted:

Renewal requirements

21(1) A regulated member who is applying for renewal of the member's practice permit must provide evidence satisfactory to the Registrar

(a) of meeting the continuing competence program requirements,

(b) of meeting the applicable requirements under section 10.1,

(c) of good character and reputation as set out in section 11,

(d) if requested by the Registrar, confirming the member's fitness to practise, and

(e) of having the type and amount of professional liability insurance required by the Council.

(2) Despite subsection (1)(a), a regulated member who does not meet the requirements referred to in subsection (1)(a) may instead meet other requirements, as determined by the Competence Committee.

25 Section 22 is repealed and the following is substituted:

Conditions

22 When issuing a practice permit, the Registrar, Registration Committee or Competence Committee may impose conditions on the practice permit, including, but not limited to, one or more of the following:

(a) that the regulated member complete any specified examinations, testing, counselling, training or education;

(b) limiting the regulated member's practice to specified professional services, restricted activities or practice settings;

(c) limiting the regulated member's practice to a specified purpose;

(d) limiting the regulated member's practice to a specified time period;

(e) that the regulated member practise under supervision for the period specified on the permit;

(f) that the regulated member report to the Registrar, Registration Committee or Competence Committee on specified dates respecting specified matters;

(g) one or more conditions referred to in section 19.4.

26 Section 28(1) is amended by striking out "bylaws" **and substituting** "Bylaws".

27 Section 29(1)(c) is repealed and the following is substituted:

(c) not disclosing a person's confidential personal, property or financial information outweighs the desirability of having the hearing open to the public,

(c.1) another Act requires that the hearing or part of the hearing be held in private, or

28 Section 30(2)(d) is amended by striking out "bylaws" **and substituting** "Bylaws".

29 Section 33(1) is amended

(a) in clause (a) by striking out "and telephone number" **and substituting** ", telephone number and e-mail address";

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

(b) full legal name, aliases and previous names;

(c) in clause (e) by striking out "membership year" **and substituting** "practice year".

30 Section 34 is amended by striking out "bylaws" **and substituting** "Bylaws".

31 Section 35 is repealed and the following is substituted:

Section 119 information

35 The periods of time during which the College is obliged to provide information on the request of a member of the public under section 119(4) of the Act are as follows:

(a) in the case of information referred to in section 33(3) of the Act about a person, other than the information referred to in section 33(3)(h), during the period while the person is a regulated member of the College;

(b) in the case of information referred to in section 119(1) of the Act,

(i) during the period while the suspension is in effect, in the case of information that a regulated member's practice permit has been suspended;

(ii) during the period that the cancellation is effective, in the case of information that a person's regulated member's practice permit has been cancelled;

(iii) during the period while the conditions are in effect, in the case of information that conditions have been imposed on a regulated member's practice permit;

(iv) during the period while the direction is in effect, in the case of information that a regulated member has been directed under section 118(4) of the Act to cease providing professional services;

(v) during the 5-year period immediately after the date of the order, in the case of information that an order has been made respecting a regulated member by a hearing tribunal, the Council or the Court of Appeal under Part 4 of the Act;

(c) during the period until the hearing is concluded, in the case of information as to whether a hearing is scheduled to be held under Part 4 of the Act with respect to a named regulated member;

(d) during the period beginning at the conclusion of the hearing and ending 5 years after the date that a written decision under section 83 of the Act or an order under section 89(5) or 92(1) of the Act is made, in the case of information as to whether a hearing has been held under Part 4 of the Act with respect to a named regulated member;

(e) during the 5-year period after the date of the written decision made by the hearing tribunal under section 83 of the Act, in the case of a decision and testimony referred to in section 85(3) or (4) of the Act.

32 The following is added after section 36:

Transitional — provisional register

36.1 On the coming into force of this section, a regulated member registered on the temporary register is deemed to be registered on the provisional register as the Registrar considers appropriate.

33 This Regulation comes into force on May 1, 2019.

Alberta Regulation 202/2018

Emergency Management Act

GOVERNMENT EMERGENCY MANAGEMENT AMENDMENT REGULATION

Filed: November 27, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 354/2018) on November 27, 2018 pursuant to section 6 of the Emergency Management Act.

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

2 Section 1 is amended

(a) by repealing clause (d) and substituting the following:

(d) "consequence management plan" means a plan that sets out actions to be taken for mitigation, preparedness, response and recovery with regard to emergencies, including human-induced intentional threats;

(b) by repealing clause (e);

(c) by repealing clause (n)(iv).

3 Section 2 is amended

(a) in subsection (1)

(i) by repealing clause (f) and substituting the following:

(f) co-ordinate with departments

(i) to prepare, implement and maintain, in accordance with the Government plans, consequence management plans, business continuity plans and any other plans required by a responsible Minister, and

(ii) to review the effectiveness of the plans referred to in subclause (i) based on

(A) identified exercise objectives for a simulated emergency, or

(B) the lessons-learned evaluation criteria established for a real emergency,

(f.1) require departments, in consultation with the Agency, to carry out the functions and responsibilities set out in the Alberta Emergency Plan,

(ii) by repealing clause (g);

(iii) by striking out "and" **at the end of clause (i);**

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

(k) operate a provincial facility that facilitates the co-ordination of the Government's response to emergencies and disasters, and

(l) maintain or support the provision of a public alerting system that is available across Alberta.

(b) by adding the following after subsection (1):

(1.1) The Agency may establish training guidelines for business continuity and consequence management training as set out in the Alberta Emergency Plan.

4 Section 3 is amended

(a) in subsection (2) by striking out "by the Agency";

(b) by adding the following after subsection (3):

(4) Each department, where it is required to meet its responsibilities under this Regulation and the Alberta Emergency Plan, may establish mutual aid arrangements and liaison with

(a) the departments, agencies, boards, commissions and Crown corporations of the Government of Canada or a province or territory of Canada,

(b) the State of Montana and its agencies, and

(c) other provincial, national, federal and international organizations involved in emergency management.

5 Section 4(a) is amended by striking out "appropriate" **and substituting** "appropriately trained and qualified".

6 Section 6 is repealed.

Alberta Regulation 203/2018

Emergency Management Act

LOCAL AUTHORITY EMERGENCY MANAGEMENT REGULATION

Filed: November 27, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 355/2018) on November 27, 2018 pursuant to section 7.1 of the Emergency Management Act.

Table of Contents

Definition of employee

1 In this Regulation, "employee" means

(a) in the case of a municipality with a council within the meaning of the *Municipal Government Act*, employees of the council and the municipal corporation;

(b) in the case of an improvement district,

(i) employees of the Minister's department or any other department who have been assigned responsibilities relating specifically to the improvement district, or

(ii) if the Minister has established a council for the improvement district, employees of the improvement

district including, but not limited to, employees of the council;

(c) in the case of a special area, employees of the Special Areas Board;

(d) in the case of a band council of an Indian band that is a local authority under the Act, employees of the band including, but not limited to, employees of the band council;

(e) in the case of a Metis settlement, employees of the settlement including, but not limited to, employees of the settlement council;

(f) in the case of a park superintendent of a national park or a superintendent's delegate, if the park superintendent is a local authority under the Act, employees of the Parks Canada agency who are supervised by the park superintendent or superintendent's delegate.

Emergency advisory committee bylaws and orders

2(1) A local authority shall appoint an emergency advisory committee by

(a) bylaw, if the local authority is a municipal council, the settlement council of a Metis settlement, or the band council of an Indian band, or

(b) order, if the local authority is the Minister responsible for the *Municipal Government Act*, the Minister responsible for the *Special Areas Act*, or a park superintendent of a national park or a superintendent's delegate.

(2) The bylaw or order must

(a) set out the purposes of the committee, both during an emergency or disaster and when those events are not occurring,

(b) establish that the committee provides guidance and direction to the local authority's emergency management agency,

(c) establish procedures that must be followed when declaring a state of local emergency,

(d) identify the committee's membership and Chair by title or position,

(e) set out a minimum meeting frequency for the committee, which must be at least once per year, and

(f) outline committee quorum and procedural requirements for decision making unless these requirements are set out in another local authority bylaw.

(3) The bylaw or order must be enacted or made and in effect on or before the date when this Regulation comes into force or, if an entity becomes a local authority under the Act after that date, within one year of the entity becoming a local authority.

Emergency management agency bylaws and orders

3(1) A local authority shall establish the local authority's emergency management agency by

(a) bylaw, if the local authority is a municipal council, the settlement council of a Metis settlement, or the band council of an Indian band, or

(b) order, if the local authority is the Minister responsible for the *Municipal Government Act*, the Minister responsible for the *Special Areas Act*, or a park superintendent of a national park or a superintendent's delegate.

(2) The bylaw or order must

(a) set out the responsibilities of the agency,

(b) appoint a person as the director of emergency management, or state that a person who holds a specified title or position is appointed as the director of emergency management by virtue of holding that title or position,

(c) state that the agency is responsible for the administration of the local authority's emergency management program,

(d) identify the frequency at which the agency must report to the emergency advisory committee to provide updates on agency activities, which must be at least once per year and must include an update on the agency's review of the local authority's emergency plan,

(e) state that a command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency will be used by the local authority's emergency management agency, and

(f) indicate, if an agency is acting as the agent of more than one local authority, which local authorities the agency is acting as an agent for.

(3) The Managing Director of the Alberta Emergency Management Agency shall prescribe the command, control and coordination system referred to in subsection (2)(e) by posting notice of the incident command, control and coordination system to the Alberta Emergency Management Agency's website.

(4) The bylaw or order must be enacted or made and in effect on or before the date when this Regulation comes into force or, if an entity becomes a local authority under the Act after that date, within one year of the entity becoming a local authority.

Emergency plan requirements

4 A local authority's emergency plan must include

(a) a description of the administration of the local authority's emergency management program,

(b) the procedures for implementing the emergency plan during an emergency or exercise response,

(c) the local authority's plan for preparedness, response and recovery activities,

(d) a hazard and risk assessment,

(e) emergency management program exercises that the local authority will engage in,

(f) the local authority emergency management agency's plan for regular review and maintenance of the local authority's emergency plan,

(g) the local authority emergency management agency's plan for the review and maintenance of the local authority's emergency plan after an exercise, emergency or disaster,

(h) how the command, control and coordination system prescribed by section 3(3) will be used by the local authority's emergency management agency,

(i) the assignment of responsibilities to local authority employees and elected officials, by position, respecting the implementation of the local authority's emergency plan,

(j) a training plan for staff assigned with responsibilities under the local authority's emergency plan,

(k) the mechanisms that will be used to prepare and maintain an emergency management staff contact list for employees and elected officials who have been assigned responsibilities respecting the implementation of the local authority's emergency plan,

(l) the local authority's plan for communications, public alerts and notifications during exercises, emergencies and disasters, and

(m) the local authority's plan for providing emergency social services during an emergency or disaster.

Review of emergency plans

5(1) A local authority's emergency management agency must review the emergency plan that applies to that local authority at least once per year.

(2) A local authority's emergency management agency must make the emergency plan that applies to that local authority available to the Alberta Emergency Management Agency for review and comment annually.

(3) In the case of a summer village that has delegated the summer village's duties relating to the maintenance of an emergency plan to another local authority, that other local authority's emergency management agency is responsible for complying with subsections (1) and (2).

Mandatory exercises

6(1) Unless an exercise under subsection (2) is carried out that year, a local authority's emergency management agency must engage in at least one exercise per year in which participants identify a significant possible emergency or disaster scenario and discuss how the local authority would respond to and resolve emergency management issues that may arise from the scenario.

(2) A local authority's emergency management agency must engage in at least one exercise every 4 years in which participants identify a significant possible emergency or disaster scenario and carry out actions as if the significant emergency or disaster was actually occurring, but without deploying personnel or other resources.

(3) Subsection (2) does not apply to a local authority emergency management agency that has responded to an emergency or disaster

within the previous 4 years that resulted in the implementation of the local authority's emergency plan and a written post-incident assessment that included observations and recommendations for improvement and corrective action being conducted.

(4) A local authority emergency management agency may fulfill the obligations set out in subsections (1) and (2) by participating in regional emergency exercises that require the local authority to utilize relevant portions of the local authority's emergency plan.

(5) A local authority emergency management agency must submit an exercise notification to the Alberta Emergency Management Agency 90 days before engaging in the exercise required by subsection (2).

(6) The exercise notification must outline the exercise scenario, state the exercise objectives, identify the participants and state the date the exercise will be conducted.

Regional services commissions and joint committees

7(1) If a local authority has delegated some or all of the local authority's powers or duties under the Act to a regional services commission, the local authority shall establish in a bylaw which powers or duties under the Act have been delegated to the commission, including whether the local authority will maintain an independent emergency management agency.

(2) A local authority that is to be represented by a joint committee under section 11.3(1)(b)(ii) of the Act shall establish a bylaw setting out the powers or duties that are being delegated to the joint committee.

(3) If a summer village has delegated some or all of the summer village's powers or duties under the Act to another local authority,

(a) the summer village must establish in a bylaw which powers or duties under the Act have been delegated to the other local authority, and

(b) the other local authority must establish in a bylaw that it has accepted the powers and duties that have been delegated to the local authority.

Training requirements for elected officials and delegates

8(1) The Managing Director of the Alberta Emergency Management Agency may prescribe courses that each of a local authority's elected officials must complete by posting notice of the courses on the Alberta Emergency Management Agency's website.

(2) Any courses that are prescribed under subsection (1) must be completed

(a) within 90 days of the elected official taking an official oath as required by section 156 of the *Municipal Government Act* or section 23 of the *Metis Settlements Act*, as the case may be, or within one year of this Regulation coming into force, whichever is later, or

(b) within 90 days of the councillor of an Indian band assuming office, or within one year of this Regulation coming into force, whichever is later, in the case of an Indian band that is a local authority under the Act.

(3) In the case of an improvement district for which a council has been established, each councillor shall take any courses prescribed under subsection (1) within 90 days of the councillor being appointed to the council, or within one year of this Regulation coming into force, whichever is later.

(4) In the case of an improvement district for which a council has not been established, each person to whom the Minister has delegated powers or duties under the Act as a local authority for that improvement district shall take any courses prescribed under subsection (1) within 90 days of the person being delegated those powers or duties, or within one year of this Regulation coming into force, whichever is later.

(5) Each of the members of the Special Areas Board shall take any courses prescribed under subsection (1) within 90 days of being appointed to the Board, or within one year of this Regulation coming into force, whichever is later.

(6) For greater certainty, this section does not apply to the Minister responsible for the *Municipal Government Act* or the Minister responsible for the *Special Areas Act,* or to any other Minister.

Park superintendent training requirements

9(1) If a park superintendent of a national park is a local authority under the Act, the park superintendent shall complete any courses prescribed under section 8(1).

(2) If a park superintendent has delegated the park superintendent's role as a local authority, the park superintendent's delegate shall complete the courses prescribed under section 8(1).

(3) Any courses that are prescribed under section 8(1) must be completed within 90 days of

(a) the person being appointed as the park superintendent or being delegated the park superintendent's role as a local authority, or

(b) the park superintendent or the superintendent's delegate becoming a local authority under the Act,

or within one year of this Regulation coming into force, whichever occurs last.

Director of emergency management agency training requirements

10(1) The Managing Director of the Alberta Emergency Management Agency may prescribe courses that each director of a local authority emergency management agency must complete by posting notice of the courses on the Alberta Emergency Management Agency's website.

(2) Any courses prescribed under subsection (1) must be completed within 18 months of the person being appointed as the director of a local authority's emergency management agency, or within 6 months of this Regulation coming into force, whichever is later.

Local authority employee training requirements

11(1) The Managing Director of the Alberta Emergency Management Agency may prescribe courses that each employee who has been assigned responsibilities respecting the implementation of the local authority's emergency plan must complete by posting notice of the courses on the Alberta Emergency Management Agency's website.

(2) Any courses prescribed under subsection (1) must be completed within 6 months of the employee being identified for a role in the local authority's emergency plan.

Exemption from course requirements

12(1) The Managing Director of the Alberta Emergency Management Agency may identify and approve courses that have substantially similar content to courses required under section 8, 9, 10 or 11 of this Regulation.

(2) The Managing Director may exempt a person from the requirement to complete courses required by section 8, 9, 10 or 11 of this Regulation if the person has completed courses that have been approved under subsection (1) as having substantially similar content.

(3) The Managing Director may exempt a person from the requirement to complete a course required by section 10 if the Managing Director determines that the person has experience or

credentials in emergency management which make the completion of the course unnecessary

(4) The Managing Director may establish criteria to provide guidance on whether a person has experience or credentials in emergency management which make the completion of a course required by section 10 unnecessary.

(5) The Managing Director may delegate all or part of the authority provided to the Managing Director by subsection (1), (2) or (3).

Extension of time to complete courses

13(1) The Managing Director of the Alberta Emergency Management Agency may grant an extension of time to a person who is required to complete courses under section 8, 9, 10 or 11 of this Regulation.

(2) The Managing Director may establish criteria to provide guidance regarding the granting of extensions of time to complete courses required by section 8, 9, 10 or 11 of this Regulation.

(3) The Managing Director may delegate all or part of the authority provided to the Managing Director by subsection (1).

Delegation by local authority

14 A local authority may delegate any of the powers or duties set out in this Regulation to

(a) a committee composed of a member or members of the local authority, including an emergency advisory committee,

(b) a regional services commission established under the *Municipal Government Act* representing 2 or more local authorities if the regional services commission is authorized in its establishing regulation to exercise that power or duty,

(c) if authorized by ministerial order, a joint committee representing 2 or more local authorities that is composed of one or more members appointed by each of the local authorities, or

(d) in the case of a summer village and if authorized by ministerial order, another local authority.

Coming into force

15 This Regulation comes into force on January 1, 2020.

Alberta Regulation 204/2018

Heating Oil and Propane Rebate Act

REBATE AUTHORIZATION AMENDMENT REGULATION

Filed: November 27, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 363/2018) on November 27, 2018 pursuant to section 6 of the Heating Oil and Propane Rebate Act.

1 The *Rebate Authorization Regulation* (AR 10/2009) is amended by this Regulation.

2 Section 2(a) is amended by striking out "April 1, 2019" **and substituting** "March 31, 2021".

3 Section 5 is amended by striking out "April 1, 2020" **and substituting** "March 31, 2022".

Alberta Regulation 205/2018

Provincial Court Act

PROVINCIAL COURT CIVIL PROCEDURE AMENDMENT REGULATION

Filed: November 27, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 365/2018) on November 27, 2018 pursuant to section 9 of the Provincial Court Act.

1 The *Provincial Court Civil Procedure Regulation* (AR 176/2018) is amended by this Regulation.

2 Section 56(a) is amended by striking out "PROVINICIAL" and substituting "PROVINCIAL".

Alberta Regulation 206/2018

Veterinary Profession Act

VETERINARY PROFESSION GENERAL AMENDMENT REGULATION

Filed: November 27, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 367/2018) on November 27, 2018 pursuant to section 13 of the Veterinary Profession Act.

1 The *Veterinary Profession General Regulation* (AR 44/86) is amended by this Regulation.

2 Section 7(6) is amended by striking out "him" **and substituting** "the registered veterinarian or permit holder".

3 Section 20 is amended by striking out "shall conduct himself or herself" **and substituting** "shall act".

4 Section 42 is amended is amended by striking out "his or her" **and substituting** "the other practitioner's".

5 Section 58 is amended by striking out "January 31, 2019" **and substituting** "March 31, 2022".

Alberta Regulation 207/2018

Child, Youth and Family Enhancement Act

COURT RULES AND FORMS AMENDMENT REGULATION

Filed: November 27, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 368/2018) on November 27, 2018 pursuant to section 131 of the Child, Youth and Family Enhancement Act.

1 The *Court Rules and Forms Regulation* (AR 39/2002) is amended by this Regulation.

2 Forms 2, 3 and 5 are amended in section 4 of each Form by striking out "survival" **and substituting** "safety".

3 Form 21 is amended in section 3

(a) by striking out "(**NOTE**: The director's consent cannot be dispensed with if the director is a guardian of the child(ren))."**;**

(b) by striking out "aboriginal" **and substituting** "Indigenous".

4 Form 22 is amended in section 4 by striking out "aboriginal" **and substituting** "Indigenous".

5 Form 29 is amended

(a) in section 1 by striking out "Alberta Human Services" **and substituting** "Children's Services"**;**

(b) in sections 1 and 2 by striking out "aboriginal" **and substituting** "Indigenous".

6 Form 30 is amended

(a) by striking out "Alberta Human Services" **and substituting** "Children's Services"**;**

(b) by striking out "2 Affidavit of Execution" and substituting "3 Affidavit of Execution".

7 The following is added after Form 41:

Form 42
Notice to Band of Private Guardianship Application

In the Provincial Court of Alberta in the Matter of an Application under section 52 of the *Child, Youth and Family Enhancement Act*

To: _____(name of band)_____

Address: _____
_____
_____

Regarding the child(ren)

_____, born ___(date-yyyy/mm/dd)___.
_____, born ___(date-yyyy/mm/dd)___.
_____, born ___(date-yyyy/mm/dd)___.

1 Name of applicants

_____(name of applicant)_____.
_____(name of applicant)_____.

2 Notice

☐ I(we) am(are) applying to the Court for a private guardianship order regarding the child(ren). I(we) will ask the Court to make me(us) a private guardian(s) to the child(ren).

or

☐ I have the authority to act for a director. My name is _____.

I am applying to the Court on behalf of the applicant(s) for a private guardianship order regarding the child(ren). I will ask the Court to appoint the applicant(s) as a private guardian(s) to the child(ren).

The Court hearing will be at _____(address)_____ on _(date - yyyy/mm/dd)_. The Judge will hear this application as soon as possible after ___(time)___, in Court room number (number).

If you want to speak to the Judge about this application, you must attend the hearing **the first time the matter is heard in Court**.

The Judge may make an order different from what I (we) apply for. If you do not attend the Court hearing the first time the matter is heard in Court, the Judge may still make an order.

3 Application

I(we) am(are) applying for a private guardianship order regarding the child(ren).

I(we) am(are) applying for:

☐ an order terminating the guardianship of _____(name(s))_____.

☐ custody to be granted to _____(name(s))_____.

☐ an order of contact to be granted to (name(s)).

☐ an order to dispense with the consent of (name(s)).

☐ an order seeking (other).

8 This Regulation comes into force on February 28, 2019.

Alberta Regulation 208/2018

Child, Youth and Family Enhancement Act

EXPERT REVIEW PANEL REPEAL REGULATION

Filed: November 27, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 369/2018) on November 27, 2018 pursuant to section 131 of the Child, Youth and Family Enhancement Act.

1 The *Expert Review Panel Regulation* (AR 54/2012) is repealed by this Regulation.

2 This Regulation comes into force on November 30, 2018.

Alberta Regulation 209/2018

Mines and Minerals Act

NATURAL GAS ROYALTY REGULATION, 2009 AMENDMENT REGULATION

Filed: November 27, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 370/2018) on November 27, 2018 pursuant to sections 5 and 36 of the Mines and Minerals Act.

1 The *Natural Gas Royalty Regulation, 2009* (AR 221/2008) is amended by this Regulation.

2 Section 18 is amended

(a) in subsection (12) by striking out "April 30" **and substituting** "May 31";

(b) in subsection (14) by striking out "May 15" **and substituting** "June 10";

(c) in subsection (15) by striking out "May 15" **and substituting** "June 10".

3 Section 23(5) is amended by striking out "15th day" **and substituting** "10th day".

4 Section 24(8)(b) is amended by striking out "15th day" **and substituting** "10th day".

5 Section 25(8) is amended by striking out "15th day" **and substituting** "10th day".

6 Section 27 is amended

(a) in subsection (2)(c) by striking out "15th day" **and substituting** "10th day";

(b) in subsection (5)(c) by striking out "15th day" **and substituting** "10th day".

7 Section 35 is amended by striking out "November 30, 2018" **and substituting** "November 30, 2032".

8 Schedule 6 is amended

(a) in section 4

(i) in subsection (2) by striking out "15th day" **and substituting** "10th day";

(ii) in subsection (5) by striking out "15th day" **and substituting** "10th day";

(iii) in subsection (6)(a) and (b) by striking out "15th day" **and substituting** "10th day";

(b) in section 5(6) by striking out "15th day" **and substituting** "10th day".

Alberta Regulation 210/2018

Mines and Minerals Act

NATURAL GAS ROYALTY REGULATION, 2017 AMENDMENT REGULATION

Filed: November 27, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 371/2018) on November 27, 2018 pursuant to sections 5 and 36 of the Mines and Minerals Act.

1 The *Natural Gas Royalty Regulation, 2017* (AR 211/2016) is amended by this Regulation.

2 Section 19 is amended

(a) in subsection (11) by striking out "April 30" **and substituting** "May 31";

(b) in subsection (13) by striking out "May 15" **and substituting** "June 10";

(c) in subsection (14) by striking out "May 15" **and substituting** "June 10".

3 Section 30(5) is amended by striking out "15th day" **and substituting** "10th day".

4 Section 31(8)(b) is amended by striking out "15th day" **and substituting** "10th day".

5 Section 32(8) is amended by striking out "15th day" **and substituting** "10th day".

6 Section 35 is amended

(a) in subsection (2)(c) by striking out "15th day" **and substituting** "10th day";

(b) in subsection (5)(c) by striking out "15th day" **and substituting** "10th day".

7 Schedule 6 is amended

(a) in section 4

(i) in subsection (2) by striking out "15th day" **and substituting** "10th day";

(ii) in subsection (5) by striking out "15th day" **and substituting** "10th day";

(iii) in subsection (6)(a) and (b) by striking out "15th day" **and substituting** "10th day";

(b) in section 5(6) by striking out "15th day" **and substituting** "10th day".

Alberta Regulation 211/2018

Workers' Compensation Act

FAIR PRACTICES OFFICE REGULATION

Filed: November 28, 2018

For information only: Made by the Lieutenant Governor in Council (O.C. 374/2018) on November 27, 2018 pursuant to section 23.6 of the Workers' Compensation Act.

Table of Contents

Definitions

1 In this Regulation,

(a) "Act" means the *Workers' Compensation Act*;

(b) "Code" means the Code of Rights and Conduct established by the Board under section 9.2 of the Act;

(c) "Commissioner" means the Fair Practices Commissioner appointed under section 23.1(1) of the Act;

(d) "Fair Practices Office" means the Fair Practices Office established under section 23.1(1) of the Act;

(e) "head" means, with respect to a workers' compensation body,

(i) the chief appeals commissioner, in the case of the Appeals Commission,

(ii) the President of the Board, in the case of the Board, or

(iii) the Medical Panels Commissioner, in the case of the Medical Panels Office;

(f) "Medical Panels Office" means the Medical Panels Office established under section 46.2(1) of the Act;

(g) "workers' compensation body" means

(i) the Appeals Commission,

(ii) the Board, or

(iii) the Medical Panels Office.

Delegation to deputy

2 The Commissioner may, in writing, delegate to a Deputy Fair Practices Commissioner any power or duty conferred or imposed on the Commissioner under the Act or this Regulation, except the power of delegation under this section.

Procedures

3(1) The Commissioner shall establish procedures respecting the following:

(a) the conduct of a review of a complaint made under section 23.2(2)(a) of the Act;

(b) the conduct of a review of a matter referred to the Commissioner under section 23.2(2)(b) of the Act;

(c) the conduct of a review on the Commissioner's own motion under section 23.2(2)(c) of the Act;

(d) the informal resolution of a complaint, a matter referred to the Commissioner or a matter reviewed on the Commissioner's own motion under section 23.2(2) of the Act;

(e) the assistance of workers, workers' dependants, or employers in navigating the workers' compensation system, including procedures respecting the direction of workers, workers' dependants or employers to an appropriate resource, person or organization for assistance;

(f) the preparation of systems assurance reports for the Minister in respect of the workers' compensation system, including reports in respect of the activities of the Fair Practices Office and complaints received by the Fair Practices Office.

(2) The Commissioner may establish any other procedures that the Commissioner considers necessary.

Complaints

4(1) A complaint to the Commissioner under section 23.2(2)(a) of the Act must

(a) be in writing,

(b) set out in detail the grounds of the complaint and the particular facts supporting the grounds of the complaint,

(c) describe any steps the complainant and the relevant workers' compensation body have already taken to resolve the complaint, and

(d) contain any other information the Commissioner requires.

(2) The Commissioner may refuse to review a complaint

(a) in the case of a complaint with respect to a matter referred to in section 23.2(1)(a)(i) of the Act, if the complainant had, in the opinion of the Commissioner, knowledge of the matter that is the subject of the complaint for more than 24 months before the complaint is made to the Commissioner, or

(b) in the case of a complaint with respect to an alleged breach of the Code, if the complainant had, in the opinion of the Commissioner, knowledge of the alleged breach for more than 24 months before the complaint is made to the Commissioner.

(3) The Commissioner may refuse to review or may discontinue a review of a complaint if in the Commissioner's opinion

(a) the review is unnecessary,

(b) the subject-matter of the complaint is trivial, or

(c) the complaint is frivolous, vexatious or not made in good faith.

(4) If the Commissioner refuses to review or discontinues the review of a complaint, the Commissioner shall inform the complainant of the decision and state the reasons for the decision.

Disclosure of information

5 For the purposes of section 23.2(4) of the Act, an employer is authorized to disclose the records and information referred to in that section.

Result of review

6(1) After conducting a review, the Commissioner shall provide the Commissioner's preliminary findings and any recommendations to the head of each workers' compensation body that is a subject of the review and ensure that each head has a reasonable opportunity to respond.

(2) The Commissioner shall, after considering any response received under subsection (1), prepare a final report, which must contain the following:

(a) the Commissioner's findings with respect to the matter under review;

(b) the Commissioner's recommendations, if any;

(c) any other information that the Commissioner considers relevant.

(3) The Commissioner shall provide a copy of the final report to the following:

(a) the head of each workers' compensation body that is a subject of the review;

(b) the complainant, if any;

(c) the Minister.

Coming into force

7 This Regulation comes into force on the coming into force of section 14 of Schedule 2 of *An Act to Protect the Health and Well-being of Working Albertans*.

Alberta Regulation 212/2018

Municipal Government Act

CLEAN ENERGY IMPROVEMENTS REGULATION

Filed: November 29, 2018

For information only: Made by the Minister of Municipal Affairs (M.O. MSL:087/18) on November 28, 2018 pursuant to section 390.9 of the Municipal Government Act.

Table of Contents

Definitions

1 In this Regulation,

(a) "administration fee" means the proportionate share of the costs associated with the administration of the clean energy improvement program included in the cost of a clean energy improvement;

(b) "Energy Efficiency Alberta" means the corporation established in section 2 of the *Energy Efficiency Alberta Act*;

(c) "incidental cost" means an amount expended on preparation or upgrading of a property that is incidental to the clean energy improvement;

(d) "Minister" means the Minister responsible for the *Energy Efficiency Alberta Act*;

(e) "program administrator" means the program administrator referred to in section 2;

(f) "qualified contractor" means a person included on the list referred to in section 4(1).

Program administrator

2(1) Subject to subsection (2), the program administrator is Energy Efficiency Alberta.

(2) The Minister may, by order, designate an entity or entities other than, or in addition to, Energy Efficiency Alberta as program administrator for the purposes of this Regulation.

(3) The order referred to in subsection (2) may specify sections of this Regulation to which the designation applies.

Eligible improvements

3(1) The program administrator must establish and update a list of types of renovations, adaptations or installations for which clean energy improvement agreements may be made and publish the list on the program administrator's website.

(2) The list referred to in subsection (1)

(a) must include information with respect to

(i) the anticipated lifespan of the renovation, adaptation or installation, and

(ii) the energy savings estimated to be the result of the renovation, adaptation or installation,

and

(b) may include information that is not referred to in clause (a).

Qualified contractors

4(1) The program administrator must establish and update a list of persons who may provide services relating to clean energy improvements and publish the list on the program administrator's website.

(2) The program administrator must establish and publish on the program administrator's website

(a) a code of conduct for qualified contractors,

(b) marketing guidelines for qualified contractors, and

(c) a policy for when qualified contractors will be removed from the list referred to in subsection (1) for failure to comply with the code of conduct or marketing guidelines.

(3) The code of conduct referred to in subsection (2) must address, without limitation, the following:

(a) the safety and welfare of individuals on worksites;

(b) licensing and qualifications;

(c) adherence to policies, procedures and bylaws;

(d) appropriate and respectful interactions with property owners;

(e) confidential information;

(f) conflicts of interest;

(g) acting in good faith.

(4) The marketing guidelines referred to in subsection (2) must address, without limitation, the following:

(a) unfair, misleading and deceptive marketing practices;

(b) the provision of information about the clean energy improvement program as established in the Act, this Regulation, and the clean energy improvement bylaw enacted in the municipality in which an owner's property is located;

(c) the soliciting of consumers for the purpose of marketing services relating to clean energy improvements.

(5) No person shall provide services relating to the installation of a clean energy improvement unless that person is a qualified contractor.

(6) Qualified contractors

(a) must comply with the code of conduct and marketing guidelines established by the program administrator,

(b) must meet all federal, provincial and municipal licensing and certification requirements established for that person's trade or profession,

(c) must obtain any permits required by law when providing services relating to clean energy improvements, and

(d) shall not enter into an agreement for the provision of services relating to the installation of a clean energy improvement other than an agreement referred to in section 11.

(7) If a person who is a qualified contractor fails to comply with subsection (4), the program administrator may remove the person from the list referred to in subsection (1) in accordance with the policy referred to in subsection (2)(c).

Clean energy improvement tax bylaws

5(1) In addition to meeting the requirements referred to in section 390.3 of the Act, a clean energy improvement tax bylaw must

(a) indicate that a clean energy improvement tax may be imposed on a property that is subject to a clean energy improvement agreement at any time following the signing of the clean energy improvement agreement, and

(b) identify the program administrator, if any, designated by the Minister.

(2) A municipality must not set out an eligible improvement in a clean energy improvement tax bylaw under section 390.3(4) of the Act unless the eligible improvement is included in the list referred to in section 3(1).

(3) A clean energy improvement tax bylaw may specify amounts for the purposes of section 10(1)(b)(ii) that are lower than the amounts provided in that section.

Agreement with program administrator

6(1) A municipality that has passed a clean energy improvement tax bylaw must enter into an agreement with the program administrator relating to the administration of the municipality's clean energy improvement program.

(2) The agreement referred to in subsection (1) must determine how the administration fee will be divided between the program administrator and the municipality.

Applications for clean energy improvements

7(1) The owner of a property that is located in a municipality that has passed a clean energy improvement tax bylaw may apply to the program administrator for a clean energy improvement.

(2) An application for a clean energy improvement must include

(a) evidence satisfactory to the program administrator that the applicant is the owner of the property,

(b) evidence satisfactory to the program administrator that the property is insured,

(c) if the property is a unit described in a condominium plan under the *Condominium Property Act* and the clean energy improvement will affect common property or managed property as defined in that Act, the written approval of the condominium board, and

(d) if the property is located in a building that includes shared facilities and the clean energy improvement will affect any of those shared facilities, the written approval of the owner of the building.

(3) If requested to do so by the program administrator, an applicant must

(a) participate in a technical assessment or an energy audit, as defined by the program administrator, or

(b) allow the program administrator to, at a reasonable time and after giving reasonable notice, inspect the property for the purpose of assessing the application.

(4) The applicant must provide the program administrator with a sworn statement in the form required by the program administrator that the applicant is in good standing with respect to the payment of taxes imposed under the Act in the 5-year period before the applicant submitted the application.

(5) An application for a clean energy improvement must be signed by all owners of the property.

Application fees

8(1) The program administrator may charge an application fee in relation to applications for clean energy improvements.

(2) If the program administrator charges an application fee in relation to applications for clean energy improvements, the fee must not exceed the following:

(a) for applications relating to residential properties, $100;

(b) for applications relating to non-residential properties, $500;

(c) for applications relating to farm land, $200.

Approval of application

9(1) Before approving an application for a clean energy improvement, the program administrator must provide the applicant with the form of agreement for the clean energy improvement agreement and obtain the signed acknowledgement of the applicant that the applicant has received this information.

(2) The program administrator may approve an application for a clean energy improvement only if the proposed clean energy improvement is eligible under the clean energy improvement bylaw enacted in the municipality in which the property that is the subject of the application is located.

(3) If the program administrator is satisfied that the requirements of the Act relating to clean energy improvements, this Regulation and the clean energy improvement bylaw enacted in the municipality in which the property that is the subject of the application is located have been met, the program administrator may approve the application.

(4) If the application is approved, the program administrator must provide a copy of the approved application to the applicant and to the municipality in which the property that is the subject of the application is located.

Clean energy improvement agreements

10(1) A municipality may enter into a clean energy improvement agreement with the owner of a property only if

(a) the program administrator has approved the owner's application for a clean energy improvement in accordance with section 9,

(b) the value of the capital costs of undertaking all clean energy improvements to the property

(i) is not less than $3000, and

(ii) subject to section 5(3), does not exceed

(A) for residential property, $50 000,

(B) for non-residential property, $1 000 000 or a greater amount if that amount is approved by the Minister and by resolution of council, and

(C) for farm land, $300 000 or a greater amount if that amount is approved by the Minister and by resolution of council,

and

(c) subject to subsection (2), the amount of the tax authorized by a bylaw passed under section 353 of the Act most recently imposed on the property is greater than or equal to the annual payment calculated in accordance with the following formula:

$$\frac{A + B + C}{D}$$

where

A is the capital cost of undertaking the clean energy improvement;

B is the total cost of professional services needed for the clean energy improvement;

C is the total of all incidental costs;

D is the probable lifetime, calculated in years, of the improvement.

(2) The requirement in subsection (1)(c) does not apply to farm land or a property that is exempt from taxation under Part 10 of the Act.

(3) Nothing in this Regulation requires a municipality to enter into a clean energy improvement agreement with any owner of a property.

(4) In addition to meeting the requirements referred to in section 390.4 of the Act, a clean energy improvement agreement must include

(a) the estimated date of completion of the clean energy improvement,

(b) the estimated cost of the clean energy improvement,

(c) the administration fee,

(d) the manner in which a cost overrun or underrun is to be dealt with if the actual cost of the clean energy improvement differs from the estimated cost,

(e) that the costs of the clean energy improvement may be revised if the council refinances the debt created to pay for the clean energy improvement at an interest rate other than the rate estimated when the clean energy improvement agreement was made and the manner by which the costs would be revised,

(f) that the clean energy improvement tax may be imposed at any time following the signing of the clean energy improvement agreement,

(g) that the amount that may be expended on incidental costs must not exceed 15% of the total capital cost of undertaking the clean energy improvement, and

(h) that the agreement may be rescinded during the period of 10 days following the date when the agreement is signed.

(5) The proportionate share of the costs associated with the administration of the clean energy improvement program must not exceed 5% of the total capital cost of undertaking the clean energy improvement.

(6) In addition to meeting the requirements referred to in section 390.4 of the Act, a clean energy improvement agreement must require the owner of the property

(a) to allow the program administrator, at a reasonable time and after giving reasonable notice, access to the property that is the subject of the clean energy improvement agreement in order to monitor the progress of the clean energy improvement or to verify that the clean energy improvement has been completed,

(b) if the property is offered for sale, to disclose the existence and the contents of the agreement to

(i) prospective purchasers of the property, and

(ii) if the owner engages the services of a realtor, to the realtor,

(c) if the property is sold, to ensure that the clean energy improvement agreement is appended to the contract of sale, and

(d) if the property is transferred other than by sale, to ensure that the clean energy improvement agreement is provided to the person to whom the property is transferred.

(7) A clean energy improvement agreement must be signed by all owners of the property.

(8) The program administrator must review the terms and conditions of the clean energy improvement agreement with all owners of the property and obtain the signed acknowledgement of all owners that they understand the terms and conditions before the clean energy improvement agreement is signed.

Agreement with qualified contractors

11(1) If a municipality and a property owner have entered into a clean energy improvement agreement, the program administrator must enter into an agreement with the property owner and a qualified contractor for services relating to the clean energy improvement.

(2) The agreement referred to in subsection (1) must

(a) require that any product the qualified contractor installs or otherwise provides for the purpose of the clean energy improvement has a manufacturer's warranty

(i) with a warranty period that is consistent with the industry standard, provided that the warranty period is not less than one year beginning on the date of completion of services, and

(ii) that is transferrable to the property owner and any subsequent owner of the property,

(b) require that the qualified contractor provide a warranty for defects in materials and labour for a reasonable period of time, provided that the warranty period is not less than one year beginning on the date of completion of services, and

(c) establish a dispute resolution process.

Monitoring and reporting

12(1) The program administrator must monitor clean energy improvement programs established by municipalities for cost savings and emission reductions.

(2) The program administrator must, on an annual basis beginning in 2020, prepare and publish, in a form and manner that is accessible to

the public, an annual report respecting clean energy improvement programs on or before September 1.

(3) The program administrator must provide a copy of the report referred to in subsection (2) to each municipality that has passed a clean energy improvement tax bylaw.

Coming into force

13 This Regulation comes into force on the coming into force of section 6 of *An Act to Enable Clean Energy Improvements*.

Alberta Regulation 213/2018

Occupational Health and Safety Act

OCCUPATIONAL HEALTH AND SAFETY CODE (HAZARDOUS FOOTWEAR) AMENDMENT REGULATION

Filed: November 30, 2018

For information only: Made by the Minister of Labour (M.O. 2018-19) on November 29, 2018 pursuant to section 86 of the Occupational Health and Safety Act.

1 The *Occupational Health and Safety Code* (AR 87/2009) is amended by this Regulation.

2 Section 233 is amended by adding the following after subsection (1):

233(1.1) An employer must not require a worker to wear footwear that may pose a health or safety risk to the worker.

3 This Regulation comes into force on January 1, 2019.