

Alberta Regulation 75/2020

Credit Union Act

CREDIT UNION (MINISTERIAL) AMENDMENT REGULATION

Filed: May 6, 2020

For information only: Made by the President of Treasury Board and Minister of Finance (M.O. No. 17/2020) on April 30, 2020 pursuant to sections 216.1 and 231(c) of the Credit Union Act.

1 The Credit Union (Ministerial) Regulation (AR 250/89) is amended by this Regulation.

2 Section 2 is repealed and the following is substituted:

Interpretation provision applicable to the Act

2(1) For the purposes of section 1(1)(u) and (x)(ii) of the Act, a prescribed deposit insurance or guarantee plan is a deposit insurance or guarantee plan that has been established under a statute of another province or territory.

(2) For the purposes of section 1(1)(yy) of the Act, “securities”

- (a) includes any other security within the meaning of the *Securities Act*, and
- (b) does not include conditional sales agreements or financial lease agreements.

3 The following is added after section 17:

Additional composition of Central

17.1 The corporations prescribed by the Minister for the purposes of section 157(b) of the Act are as follows:

- (a) a cooperative within the meaning of section 1(1)(j) of the *Cooperatives Act* or a cooperative association registered or incorporated under a predecessor of that Act or a cooperative incorporated or registered under an Act of Canada or of a province or territory similar to that Act;
- (b) a corporation incorporated by or under any Act of a province or territory of Canada acting as a central credit union or, in relation to credit unions of that jurisdiction, in a role similar to that of Central in relation to Alberta’s credit unions;
- (c) Concentra Bank;

- (d) The Co-operators Group Limited;
- (e) The CUMIS Group Limited;
- (f) CU CUMIS Wealth Holdings GP Inc.;
- (g) the Corporation;
- (h) Canadian Credit Union Association;
- (i) 189286 Canada Inc.;
- (j) Federated Co-operatives Limited;
- (k) a Provincial corporation within the meaning of section 1(1)(r) of the *Financial Administration Act* or, generally, an equivalent corporation of another province or territory or of Canada;
- (l) Credential Financial Inc.;
- (m) Northwest & Ethical Investments Inc.;
- (n) Aviso Wealth GP Inc.;
- (o) Aviso Wealth Inc.;
- (p) Everlink Payment Services Inc.;
- (q) a subsidiary or affiliate of a credit union or of Central or of any corporation named or referred to in this section;
- (r) any other corporation that is a financial institution;
- (s) any successor corporation of a corporation referred to in this section.

4 The heading preceding section 19 is repealed and the following is substituted:

Evidence

5 The following is added after section 19:

Dispute Resolution

Dispute resolution process and adjudicator

19.1(1) Within 7 days after Central notifies the applicant credit union that it has received the credit union's application under section

216.1(1) of the Act, each party shall appoint a dispute resolution representative and notify the other party of that appointment.

(2) Within 15 days after both dispute resolution representatives have been appointed, the representatives shall attempt to select an individual to act as adjudicator, and, if they select an individual, that individual shall be appointed as adjudicator.

(3) If a dispute resolution representative fails to act and an adjudicator has not yet been appointed, the party that appointed the representative may appoint another representative within 7 days after the date on which the representative failed to take the action that should have been taken, and the parties have the remainder of the 15 days under subsection (2), if any, to attempt to select an individual to act as adjudicator.

(4) Each party shall provide a list of potential adjudicators consisting of 3 individuals and their credentials to the other party and the Minister, if

- (a) either party fails to appoint a dispute resolution representative in accordance with subsection (1),
- (b) a dispute resolution representative appointed under subsection (1) fails to act and the party that appointed the representative does not appoint another representative within 7 days after the date on which the representative failed to take an action that should have been taken,
- (c) a dispute resolution representative appointed under subsection (3) fails to act, or
- (d) for any other reason, an adjudicator is not appointed under subsection (2).

(5) On receiving the lists referred to in subsection (4), the Minister shall appoint an individual from the lists to be the adjudicator.

(6) No person shall be appointed as an adjudicator if the person is an employee of either party.

(7) The dispute resolution representatives shall attempt to determine the matters in dispute by agreement and, if they fail to agree, shall submit their differences to the adjudicator.

(8) Each party is responsible for paying the dispute resolution representative it appointed under subsection (1) or (3) whatever remuneration or expenses are applicable, and the parties must otherwise bear equally the expenses of the dispute resolution process, including any remuneration and expenses of the adjudicator.

Alberta Regulation 76/2020
Government Organization Act
EDMONTON RESTRICTED DEVELOPMENT AREA
AMENDMENT REGULATION

Filed: May 13, 2020

For information only: Made by the Lieutenant Governor in Council (O.C. 150/2020) on May 13, 2020 pursuant to Schedule 5, section 4 of the Government Organization Act.

1 The *Edmonton Restricted Development Area Regulations* (AR 287/74) is amended by this Regulation.

2 The Schedule is amended

(a) in item 1, describing land located in Township 53, Range 25, West of the Fourth Meridian,

(i) by striking out

SECTION 5: Plans 882 0595 and 892 0486, showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area south and west of Plan 882 0595 within the southwest quarter of section 5.

and substituting

SECTION 5: Plans 882 0595 and 892 0486, showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area south and west of Plan 882 0595 within the southwest quarter of section 5; EXCEPTING THEREOUT Plans 192 1034, 192 1309, 192 1036 and 192 1312.

(ii) by striking out

SECTION 21: Plan 882 2941 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area northwest of Plan 882 2941 within the northwest quarter of section 21; EXCEPTING THEREOUT Plan 982 2241 within the west half of section 21; Plan 012 6184; All that area south of Plan 992 5031.

and substituting

SECTION 21: Plan 882 2941 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area northwest of Plan 882 2941 within the northwest quarter of section 21; EXCEPTING THEREOUT Plan 982 2241 within the west half of section 21; Plan 012 6184; All that area south of Plan 992 5031; Plan 182 1459.

(iii) by striking out

SECTION 27: Plan 882 1697 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area south and east of Plan 882 1697 within Block 6 of Plan 179 H.W.; All that area within the northeast quarter of section 27, south of Plan 882 1697 and northeast and northwest of Road Plan 822 3194;

EXCEPTING THEREOUT Plans 022 4775 and 162 1078.

and substituting

SECTION 27: Plan 882 1697 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area south and east of Plan 882 1697 within Block 6 of Plan 179 H.W.; All that area within the northeast quarter of section 27, south of Plan 882 1697 and northeast and northwest of Road Plan 822 3194; EXCEPTING THEREOUT Plans 022 4775, 162 1078, 192 1124 and 182 1412.

(iv) by striking out

SECTION 28: Plan 882 1697 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Plan 022 0636; EXCEPTING THEREOUT Plan 022 4775.

and substituting

SECTION 28: Plan 882 1697 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor and Plan 022 0636; EXCEPTING THEREOUT Plans 022 4775 and 182 1403.

(v) by striking out

SECTION 34: (1) Plans 882 1697 and 074 0090 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor within the south half of section 34; EXCEPTING THEREOUT Plans 122 4335 and 162 1078.

and substituting

SECTION 34: Plans 882 1697 and 074 0090 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor within the south half of section 34; EXCEPTING THEREOUT Plans 122 4335, 162 1078 and 192 1124.

(b) in item 5, describing land located in Township 53, Range 23, West of the Fourth Meridian,

(i) by striking out

SECTIONS 31 & 32: Plan 892 0561 and Area D of Plan 022 1099 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Lot 3 of Plan 8188 E.T.; All that area of the northeast quarter of section 31, northeast of Plan 892 0561 and southeast of Plan 5815 R.S.; EXCEPTING THEREOUT Areas A and B of Plan 022 1099 and Plan 092 9343.

and substituting

SECTIONS 31 & 32: Plan 892 0561 and Area D of Plan 022 1099 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; Lot 3 of Plan 8188 E.T.; All that area of the northeast quarter of section 31, northeast of Plan 892 0561 and southeast of Plan 5815 R.S.; EXCEPTING THEREOUT Areas A and B of Plan 022 1099, Plans 092 9343, 192 1044 and 192 1331.

(c) in item 6, describing land located in Township 52, Range 25, West of the Fourth Meridian,

(i) by striking out

SECTIONS 8 & 17: Plan 882 0604 showing survey for descriptive purposes of a right-of-way for a Transportation /Utility Corridor; All that area southeast of Plan 882 0604 and west of Lot B of Plan 802 2074; All that

area south and east of Plan 882 0604 and north of Lot B of Plan 802 2074; EXCEPTING THEREOUT All that area of Plan 882 2480 north and east of Plan 882 0604; All that area of Plan 882 2480 west of Plan 882 0604.

and substituting

SECTIONS 8 & 17: Plan 882 0604 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; All that area southeast of Plan 882 0604 and west of Lot B of Plan 802 2074; All that area south and east of Plan 882 0604 and north of Lot B of Plan 802 2074; EXCEPTING THEREOUT All that area of Plan 882 2480 north and east of Plan 882 0604; All that area of Plan 882 2480 west of Plan 882 0604; Plan 192 1260.

(ii) by striking out

SECTION 32: Plan 882 0595 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor.

and substituting

SECTION 32: Plan 882 0595 showing survey for descriptive purposes of a right-of-way for a Transportation/Utility Corridor; EXCEPTING THEREOUT Plans 192 1041 and 192 1077.

Alberta Regulation 77/2020

Mines and Minerals Act

COAL ROYALTY AMENDMENT REGULATION

Filed: May 13, 2020

For information only: Made by the Lieutenant Governor in Council (O.C. 151/2020) on May 13, 2020 pursuant to section 5 of the Mines and Minerals Act.

1 The *Coal Royalty Regulation (AR 295/92)* is amended by this Regulation.

2 Section 8(1) is amended by adding “bituminous” before “coal rights”.

3 Section 11 is repealed.

4 Section 11.1 is repealed.

Alberta Regulation 78/2020

Mines and Minerals Act

**METALLIC AND INDUSTRIAL MINERALS
TENURE AMENDMENT REGULATION**

Filed: May 13, 2020

For information only: Made by the Lieutenant Governor in Council (O.C. 152/2020) on May 13, 2020 pursuant to section 5 of the Mines and Minerals Act.

1 The *Metallic and Industrial Minerals Tenure Regulation* (AR 145/2005) is amended by this Regulation.

2 Section 1(a) is amended by adding “occurrence” after “development of a metallic and industrial mineral”.

3 Section 17(e) is amended by striking out “of a professional engineer or professional geoscientist” and substituting “of a qualified person”.

4 Section 52 is repealed.

5 The Schedule is amended

(a) in section 3

(i) in subsection (1)

(A) by adding “and” at the end of clause (b);

(B) by repealing clauses (c) and (d) and substituting the following:

(c) be in a format or formats approved by the Minister.

(ii) in subsection (2)

(A) by striking out “Two copies” and substituting “One copy”;

(B) by striking out “each copy”;

(C) by adding “and” at the end of clause (a);

(D) by repealing clauses (b) and (c) and substituting the following:

(b) be in a format or formats approved by the Minister.

(iii) in subsection (3)

(A) by striking out “2 copies” and substituting “one copy”;

(B) by striking out “each copy”;

(b) in section 5

(i) in clause (c)

(A) in subclause (i) by striking out “, of the results obtained, and of the expenditures made,” and substituting “and of the results obtained”;

(B) by adding the following after subclause (i):

(i.1) expenditure statement – an expenditure statement with respect to the locations of the permits during the assessment work periods of the permits for which the mineral assessment report is being submitted,

(ii) in clause (d)(ii) by striking out “Part A” and substituting “Part B”.

Alberta Regulation 79/2020
Mines and Minerals Act
MINERAL RIGHTS COMPENSATION
AMENDMENT REGULATION

Filed: May 13, 2020

For information only: Made by the Lieutenant Governor in Council (O.C. 153/2020) on May 13, 2020 pursuant to section 5 of the Mines and Minerals Act.

1 The *Mineral Rights Compensation Regulation* (AR 317/2003) is amended by this Regulation.

2 Section 1(1) is amended

(a) by striking out clause (l) and substituting the following:

(l) “original lessee” means the person who has, as the lessee of record, held the cancelled Crown mineral rights continuously from the date on which the original agreement was issued;

(b) in clause (q) by striking out “the agreement” and substituting “the cancelled agreement, or any predecessor to that agreement”.

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

(3) A notice under this section must set out an application deadline at least 30 days after the date when the notice is given with respect to the application referred to in section 2.1(1).

4 The following is added after section 2:

Compensation applications

2.1(1) On or before the application deadline set out under section 2(3) the lessee may

- (a) submit an application to the Minister with respect to the compensation payable to the lessee in accordance with this Regulation that does not include a reclamation allowance referred to in section 7, and

(b) indicate in its application whether the lessee intends to submit a separate application in respect of the reclamation allowance referred to in section 7, which must be separately applied for, if claimed.

(2) If the lessee does not submit an application on or before the application deadline, the Minister may determine compensation based exclusively on the records of the Department.

(3) If the application indicates the lessee's intention to submit a separate application in respect of the reclamation allowance referred to in section 7, the Minister may specify in a notice a separate deadline with respect to the separate application.

5 Section 3(3)(a) is amended by striking out “subsections (1)(a)” and substituting “subsections (1)(a)(i), (ii)”.

6 Section 4 is amended

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

(b) the amount of money paid to the Crown as fees in connection with the issue of the cancelled agreement as a result of a division or consolidation of a predecessor agreement made after the effective date under the Act of the registration of the transfer of the predecessor agreement to the person who becomes the lessee of record,

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

(a) that part of the amounts determined under and in accordance with subsections (1)(a),(b),(c), (2)(a),(b),(c) and (3) that is the same proportion of all of those amounts as the surface area of the part of the location is to the surface area of the location of the agreement,

(a.1) the amount under subsection (2)(d) that is determined by the Minister as fairly and reasonably expended in the exploration for or development of minerals in the part of the location by prior lessees or others having a demonstrable interest in the agreement before the transfer date,

7 Section 5 is amended

- (a) **in subsection (3)(a) by striking out** “of the sums of the amounts described in section 3(1)(a)” **and substituting** “of the amount described in section 3(1)(a)(i)”;
- (b) **by repealing subsection (4)(a) and substituting the following:**
 - (a) 1/2 of the part of the amount referred to in section 3(1)(a)(i) that is in the same proportion to that amount as the surface area of the part of the location that contains the misdescribed zone is to the surface area of the location of the agreement,
 - (c) **in subsection (7)(a) by striking out** “the sum of the amounts determined under and in accordance with section 4(1)(a), (b) and (c),” **and substituting** “the amount referred to in section 4(1)(a),”;
 - (d) **in subsection (8)(a) by striking out** “4(1)(a), (b) and (c)” **and substituting** “4(1)(a)”.

8 Section 8 is amended by repealing subsections (2) to (5) and substituting the following:

- (2) The Minister may determine interest for the purposes of section 3, 4 or 5 only with respect to a period commencing 10 years before the close-off date and ending on the close-off date.
- (3) An interest allowance for which a determination must be made under subsection (2) must be determined
 - (a) at a yearly rate that is 1% greater than the time-weighted average of the rate of interest established by Alberta Treasury Branches as its prime lending rate on loans payable in Canadian dollars, and
 - (b) without compounding.

9 Section 10 is repealed and the following is substituted:

Duty to provide information

- 10** The lessee must, with respect to any amounts claimed by the lessee under and in accordance with section 3, 4 or 5,

- (a) provide evidence satisfactory to the Minister of the particulars of the amounts claimed in the form of a statutory declaration, and
- (b) provide, within a timeframe specified in a notice, any other information that the Minister requires with respect to the amounts claimed.

10 Section 11(2) and (3) are repealed and the following is substituted:

(2) To acquire the mineral rights referred to in subsection (1), the offeree must pay to the Crown as a bonus for the acquisition of the agreement an amount equal to the aggregate of

- (a) the compensation paid by the Minister in respect of the cancelled agreement
 - (i) pursuant to the *Mineral Rights Compensation Regulation* (AR 161/78), in the case of an agreement cancelled before this Regulation came into force, or
 - (ii) pursuant to this Regulation, if an agreement is cancelled on or after this Regulation comes into force,

if the entire surface area of the location of the cancelled agreement is contained within the surface area of the location of the agreement offered pursuant to subsection (1),

- (b) if the surface area of the location of the agreement offered pursuant to subsection (1) is comprised of only a part of the surface area of the location of the cancelled agreement, a portion of the compensation referred to in clause (a)(i) or (ii) in the proportion that the area of the cancelled agreement part of the offered agreement surface area has to the cancelled agreement surface area, and
- (c) an amount determined by the Minister as the equivalent of compounded interest that could have been earned on the amount referred to in clause (a)(i) or (ii) or (b) from the date on which it was paid.

11 Section 14 is amended by striking out “April 30, 2020” and substituting “April 30, 2030”.

Alberta Regulation 80/2020
Mines and Minerals Act
NATURAL GAS ROYALTY REGULATION, 2009
(HELIUM) AMENDMENT REGULATION

Filed: May 13, 2020

For information only: Made by the Lieutenant Governor in Council (O.C. 154/2020) on May 13, 2020 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 1(1)(w) is amended by adding “, helium” after “sulphur”.

3 Section 5(2) is amended by adding the following after clause (g):

(g.1) quantities of helium must be expressed in cubic metres;

4 Section 8(5) is amended

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

(f.1) with respect to helium, the percentage of the helium prescribed in Schedule 6.1;

(b) in clause (g) by striking out “(a) to (f),” and substituting “(a) to (f.1),”.

5 Section 15 is amended

(a) in subsection (3) by adding the following after clause (f):

(g) in accordance with Schedule 6.1, with respect to helium.

(b) in subsection (4)(a) by striking out “and sulphur” and substituting “, sulphur and helium”.

6 The following is added after Schedule 6:

**Schedule 6.1
Helium**

Definitions

1 In this Schedule,

- (a) “corporate average price for helium” or “H-CAP”, in relation to a royalty client and a month, is the corporate average price for helium established for that royalty client for a month pursuant to section 3 of this Schedule;
- (b) “Helium Default Price”, in relation to a month, is the price determined from time to time by the Minister for a month pursuant to section 5 of this Schedule.

Helium royalty quantity

2(1) The royalty reserved to the Crown on helium extracted at the well head shall be calculated in accordance with the following formula:

$$RH = (5\% - HRAF) \times VHE$$

where

- RH is the Crown’s royalty share of the helium on which the royalty is payable;
- HRAF is the Helium Royalty Adjustment Factor determined by the Minister pursuant to subsection (3);
- VHE is the quantity in m³ of the helium, measured in accordance with the Minister’s direction, extracted at the well head.

(2) In the event the quantity cannot be measured at the well head the quantity of helium must be calculated at its first point of measurement.

(3) The Minister may determine, for the purposes of this Schedule,

- (a) a Helium Royalty Adjustment Factor for all wells in Alberta from which helium may be recovered pursuant to an agreement, and
- (b) the period of time in respect of which the factor applies.

Determination of royalty client’s H-CAP

3(1) Subject to this section, the Minister shall determine the client’s corporate average price for helium for April 2020 and each subsequent month if

- (a) the royalty client is required to furnish a report under section 4(1) of this Schedule in respect of the month, and
- (b) the quantity of helium disposed of by the client in the month to persons at arm's length from the client is not less than 10% of the total quantity of helium disposed of by the client in that month.

(2) The corporate average price for helium determined by the Minister for a royalty client for a month shall be calculated in accordance with the following formula:

$$\text{H-CAP} = \frac{\text{MTNR}}{\text{VHS}}$$

where

H-CAP is the corporate average price for helium referred to in section 1(a) of this Schedule;

MTNR is the royalty client's total net revenue for sales of helium for the month, calculated in accordance with the Minister's directions;

VHS is the quantity in m³ of helium sold, measured in accordance with the Minister's direction, in the sales described with respect to the variable MTNR.

(3) A royalty client's H-CAP for a month cannot be an amount per m³ less than zero.

(4) A royalty client's H-CAP for a month may be recalculated in accordance with the Minister's directions.

(5) A royalty client required under subsection (1)(a) to furnish a report, and any person associated with that royalty client, must

- (a) whenever requested to do so by the Minister, consent to an audit or examination of the records of the royalty client or associated person that are or may be relevant to the determination of the royalty client's H-CAP for that month, and
- (b) cooperate with and give all reasonable assistance to the person conducting the audit or examination requested under clause (a) for the purpose of enabling that person to conduct the audit or examination satisfactorily.

(6) When an audit or examination is requested by the Minister under subsection (5), the royalty client or associated person has the choice of having the audit or examination conducted

- (a) by or on behalf of the Minister at the Crown's expense, or
- (b) by an independent auditor approved by the Minister, at the expense of the royalty client and the persons associated with the royalty client or any one or more of them.

Report of helium disposition

4(1) A royalty client shall furnish to the Minister for April 2020 and each subsequent month a report respecting the quantities of helium disposed of by the client in each month.

(2) A report furnished by a royalty client under subsection (1) may, to the extent consented to by the Minister, include information regarding the quantities of helium disposed of by the client in any preceding month.

(3) A report required to be furnished under subsection (1) in respect of a month shall be furnished by the royalty client to the Minister by the 10th day of the 2nd month following the month to which the report relates.

Helium royalty compensation

5(1) The amount of royalty compensation on helium for a royalty client in a month is an amount calculated by multiplying the helium royalty quantity

- (a) by the royalty client's H-CAP for the month, in any case where clause (b) does not apply, or
- (b) by the Helium Default Price determined by the Minister for the month if
 - (i) the quantity of helium disposed of by the royalty client in the month to persons at arm's length from the client is less than 10% of the total quantity of helium disposed of by the client in that month, or
 - (ii) the royalty client was given a direction under subsection (5) and the direction applies to the month.

(2) Subject to subsections (3) and (4), the Helium Default Price for a month is the last H-CAP calculated for that royalty client or, in the event an H-CAP for that royalty client has never been calculated, the Helium Default Price shall be calculated in accordance with the following formula:

$$\text{HDP} = \frac{\text{NMTNR}}{\text{NVH}}$$

where

HDP is the Helium Default Price for the month;

NMTNR is the total net revenue for sales of helium by all royalty clients in the month to persons at arm's length from the client, calculated in accordance with the Minister's directions;

NVH is the quantity in m³ of helium sold, measured in accordance with the Minister's direction, in the sales described with respect to the variable NMTNR.

(3) In determining the total net revenue referred to in subsection (2), the net revenue from any sale included in the determination shall not be less than zero.

(4) Subject to section 38 of the Act, the Minister may from time to time recalculate the H-CAP and Helium Default Price for a month.

(5) If a royalty client or a person associated with the royalty client refuses to give consent to an audit or examination pursuant to section 3(5)(a) of this Schedule or fails to comply with section 3(5)(b) of this Schedule with respect to an audit or examination conducted under that section, the Minister may direct that the royalty compensation on helium for the royalty client in that month be calculated in accordance with subsection (1)(b).

(6) If the Minister determines that there is insufficient information available to calculate a Helium Default Price under subsection (2), the Minister may determine an alternate Helium Default Price for that month.

Alberta Regulation 81/2020

Mines and Minerals Act

**NATURAL GAS ROYALTY REGULATION, 2017
(HELIUM) AMENDMENT REGULATION**

Filed: May 13, 2020

For information only: Made by the Lieutenant Governor in Council (O.C. 155/2020) on May 13, 2020 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 1(1)(v) is amended by adding “, helium” after “sulphur”.

3 Section 5(2) is amended by adding the following after clause (g):

(g.1) quantities of helium must be expressed in cubic metres;

4 Section 8(5) is amended

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

(f.1) with respect to helium, the percentage of the helium prescribed in Schedule 6.1;

(b) in clause (g) by striking out “(a) to (f),” and substituting “(a) to (f.1),”.

5 Section 16 is amended

(a) in subsection (3) by adding the following after clause (f):

(g) in accordance with Schedule 6.1, with respect to helium.

(b) in subsection (4)(a) by striking out “and sulphur” and substituting “, sulphur and helium”.

6 The following is added after Schedule 6:

**Schedule 6.1
Helium**

Definitions

1 In this Schedule,

(a) “corporate average price for helium” or “H-CAP”, in relation to a royalty client and a month, is the corporate average price for helium established for that royalty client for a month pursuant to section 3 of this Schedule;

- (b) “Helium Default Price”, in relation to a month, is the price determined from time to time by the Minister for a month pursuant to section 5 of this Schedule.

Helium royalty quantity

2(1) The royalty reserved to the Crown on helium extracted at the well head shall be calculated in accordance with the following formula:

$$RH = (5\% - HRAF) \times VHE$$

where

- RH is the Crown’s royalty share of the helium on which the royalty is payable;
- HRAF is the Helium Royalty Adjustment Factor determined by the Minister pursuant to subsection (3);
- VHE is the quantity in m³ of the helium, measured in accordance with the Minister’s direction, extracted at the well head.

(2) In the event the quantity cannot be measured at the well head the quantity of helium must be calculated at its first point of measurement.

(3) The Minister may determine, for the purposes of this Schedule,

- (a) a Helium Royalty Adjustment Factor for all wells in Alberta from which helium may be recovered pursuant to an agreement, and
- (b) the period of time in respect of which the factor applies.

Determination of royalty client’s H-CAP

3(1) Subject to this section, the Minister shall determine the client’s corporate average price for helium for April 2020 and each subsequent month if

- (a) the royalty client is required to furnish a report under section 4(1) of this Schedule in respect of the month, and
- (b) the quantity of helium disposed of by the client in the month to persons at arm’s length from the client is not less than 10% of the total quantity of helium disposed of by the client in that month.

(2) The corporate average price for helium determined by the Minister for a royalty client for a month shall be calculated in accordance with the following formula:

$$\text{H-CAP} = \frac{\text{MTNR}}{\text{VHS}}$$

where

- H-CAP is the corporate average price for helium referred to in section 1(a) of this Schedule;
- MTNR is the royalty client's total net revenue for sales of helium for the month, calculated in accordance with the Minister's directions;
- VHS is the quantity in m³ of helium sold, measured in accordance with the Minister's direction, in the sales described with respect to the variable MTNR.

(3) A royalty client's H-CAP for a month cannot be an amount per m³ less than zero.

(4) A royalty client's H-CAP for a month may be recalculated in accordance with the Minister's directions.

(5) A royalty client required under subsection (1)(a) to furnish a report, and any person associated with that royalty client, must

- (a) whenever requested to do so by the Minister, consent to an audit or examination of the records of the royalty client or associated person that are or may be relevant to the determination of the royalty client's H-CAP for that month, and
- (b) cooperate with and give all reasonable assistance to the person conducting the audit or examination requested under clause (a) for the purpose of enabling that person to conduct the audit or examination satisfactorily.

(6) When an audit or examination is requested by the Minister under subsection (5), the royalty client or associated person has the choice of having the audit or examination conducted

- (a) by or on behalf of the Minister at the Crown's expense, or
- (b) by an independent auditor approved by the Minister, at the expense of the royalty client and the persons associated with the royalty client or any one or more of them.

Report of helium disposition

4(1) A royalty client shall furnish to the Minister for April 2020 and each subsequent month a report respecting the quantities of helium disposed of by the client in each month.

(2) A report furnished by a royalty client under subsection (1) may, to the extent consented to by the Minister, include information regarding the quantities of helium disposed of by the client in any preceding month.

(3) A report required to be furnished under subsection (1) in respect of a month shall be furnished by the royalty client to the Minister by the 10th day of the 2nd month following the month to which the report relates.

Helium royalty compensation

5(1) The amount of royalty compensation on helium for a royalty client in a month is an amount calculated by multiplying the helium royalty quantity

- (a) by the royalty client's H-CAP for the month, in any case where clause (b) does not apply, or
- (b) by the Helium Default Price determined by the Minister for the month if
 - (i) the quantity of helium disposed of by the royalty client in the month to persons at arm's length from the client is less than 10% of the total quantity of helium disposed of by the client in that month, or
 - (ii) the royalty client was given a direction under subsection (5) and the direction applies to the month.

(2) Subject to subsections (3) and (4), the Helium Default Price for a month is the last H-CAP calculated for that royalty client or, in the event an H-CAP for that royalty client has never been calculated, the Helium Default Price shall be calculated in accordance with the following formula:

$$\text{HDP} = \frac{\text{NMTNR}}{\text{NVH}}$$

where

HDP is the Helium Default Price for the month;

NMTNR is the total net revenue for sales of helium by all royalty clients in the month to persons at arm's length from the client, calculated in accordance with the Minister's directions;

NVH is the quantity in m³ of helium sold, measured in accordance with the Minister's direction, in the sales described with respect to the variable NMTNR.

(3) In determining the total net revenue referred to in subsection (2), the net revenue from any sale included in the determination shall not be less than zero.

(4) Subject to section 38 of the Act, the Minister may from time to time recalculate the H-CAP and Helium Default Price for a month.

(5) If a royalty client or a person associated with the royalty client refuses to give consent to an audit or examination pursuant to section 3(5)(a) of this Schedule or fails to comply with section 3(5)(b) of this Schedule with respect to an audit or examination conducted under that section, the Minister may direct that the royalty compensation on helium for the royalty client in that month be calculated in accordance with subsection (1)(b).

(6) If the Minister determines that there is insufficient information available to calculate a Helium Default Price under subsection (2), the Minister may determine an alternate Helium Default Price for that month.

Alberta Regulation 82/2020

Mines and Minerals Act

**METALLIC AND INDUSTRIAL MINERALS
ROYALTY AMENDMENT REGULATION**

Filed: May 13, 2020

For information only: Made by the Lieutenant Governor in Council (O.C.156/2020) on May 13, 2020 pursuant to section 36 of the Mines and Minerals Act.

1 The *Metallic and Industrial Minerals Royalty Regulation* (AR 350/93) is amended by this Regulation.

2 Section 11(b) is repealed and substituted by the following:

- (b) “quarriable mineral” means a mineral
 - (i) that can be quarried and used in its natural state for building, construction, industrial, manufacturing or agricultural purposes including, without limitation, anhydrite, bentonite, diatomite, dolomitic siltstone, gypsum, granite, limestone, marble, mica, potash, quartz rock, rock phosphate, sandstone, shale, slate, talc or volcanic ash, and

- (ii) that is vested in or belongs to the Crown in right of Alberta,

but does not include asphalt, bituminous sands, oil sands, coal or ammonite shell.

3 Section 12 is repealed and substituted by the following:

Royalty

12 The royalty reserved to the Crown in right of Alberta on the quarriable mineral, or a product obtained from the quarriable mineral, obtained or produced from the location of a lease is, calculated free and clear of any and all deductions, as follows:

- (a) on bentonite, \$0.11 per tonne;
- (b) on volcanic ash, \$0.0655 per cubic metre;
- (c) on limestone, shale, granite, slate, gypsum, sandstone, dolomitic siltstone and building stone, \$0.0441 per tonne;
- (d) on silica sand obtained by processing sandstone on the location of a sandstone lease, \$0.37 per tonne.

4 Section 13 is amended by striking out “the quarriable mineral” and substituting “the quarriable mineral, or a product obtained from the quarriable mineral.”

5 Section 16.1 is repealed.

Alberta Regulation 83/2020

Adult Guardianship and Trusteeship Act

**ADULT GUARDIANSHIP AND TRUSTEESHIP
AMENDMENT REGULATION**

Filed: May 13, 2020

For information only: Made by the Lieutenant Governor in Council (O.C. 157/2020) on May 13, 2020 pursuant to section 116 of the Adult Guardianship and Trusteeship Act.

1 The *Adult Guardianship and Trusteeship Regulation* (AR 219/2009) is amended by this regulation.

2 Section 15(1)(b)(vii) is amended by striking out “\$300” and substituting “\$500”.

3 Section 24(4)(a) is amended by striking out “6 months” and substituting “12 months”.

4 Section 47 is amended

(a) in subsection (3)

(i) in clause (a) by striking out “Form 19” and substituting “Form 14”;

(ii) in clause (b) by striking out “Form 20” and substituting “Form 15”;

(b) in subsection (4)

(i) in clause (a) by striking out “Form 19” and substituting “Form 14”;

(ii) in clause (b) by striking out “Form 20” and substituting “Form 15”;

(c) in subsection (6) by striking out “Form 23” and substituting “Form 18”.

5 Section 52(d) is amended by striking out “Form 23” and substituting “Form 18”.

6 Section 55 is amended

(a) in subsection (3)

(i) in clause (a) by striking out “Form 19” and substituting “Form 14”;

(ii) in clause (b) by striking out “Form 20” and substituting “Form 15”;

(iii) in clause (e) by striking out “Form 22” and substituting “Form 17”;

(b) in subsection (4)

- (i) in clause (a) by striking out “Form 19” and substituting “Form 14”;**
- (ii) in clause (b) by striking out “Form 20” and substituting “Form 15”;**
- (iii) in clause (e) by striking out “Form 22” and substituting “Form 17”.**

7 The following is added after section 60:

Duty of review officer

60.1 Except where the applicant is seeking an order dispensing with service on the assisted person or represented person, the review officer shall make reasonable efforts to

- (a) meet with the assisted person or represented person in person,
 - (b) explain to the assisted person or represented person
 - (i) the nature and purpose of the application, and
 - (ii) that the assisted person or represented person has the right to attend and make representations at the hearing,
- and
- (c) ascertain the views and wishes of the assisted person or represented person respecting the application.

8 Section 61(b) is amended by repealing subclause (i) and substituting the following:

- (i) an inventory, in Form 37, to which is attached a current copy of the certificate of title for any land identified in the inventory,

9 Section 62 is amended

(a) in subsection (1)

- (i) in clause (a) by striking out “Form 19” and substituting “Form 14”;**

(ii) in clause (b) by striking out “Form 20” and substituting “Form 15”;

(b) in subsection (2) by striking out “Form 23” and substituting “Form 18”.

10 Section 63(2)(d) is amended by striking out “Form 21” and substituting “Form 16”.

11 Section 67(2)(d) is amended by striking out “Form 23” and substituting “Form 18”.

12 Section 70 is amended

(a) in clause (a) by striking out “Form 19” and substituting “Form 14”;

(b) in clause (b) by striking out “Form 20” and substituting “Form 15”;

(c) in clause (d) by striking out “Form 22” and substituting “Form 17”.

13 Section 75(1) is amended

(a) by striking out “and” at the end of clause (a),

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

(b) an affidavit, in Form 40, and

(c) any other documents the interested person intends to rely on in support of the application.

14 Schedule 2 is amended

(a) by repealing Form 14 and substituting the following:

Form 14

Application for Appointment of Guardian or Trustee, Review of Guardianship or Trustee Order or Examination and Approval of Trustee's Accounts (in any combination)

Court File Number
 Court Court of Queen's Bench of Alberta (Surrogate Matter)
 Judicial Centre
 Full name of the person whom the application is about (the "adult")
 Document Application
 Applicant

APPLICANT'S ADDRESS FOR SERVICE (Lawyer information)				
<input type="checkbox"/> This section is not applicable				
Law firm name	Responsible lawyer's name		Lawyer's file number	
Address	City	Province	Postal code	Country
Phone	Fax	Email		

APPLICANT'S ADDRESS FOR SERVICE (Non-lawyer application)				
<input type="checkbox"/> This section is not applicable				
Address	City	Province	Postal code	Country
Phone	Fax	Email		

1 Information About the Application and Applicant

1.1 Are you proposing that your application proceed as a desk application or by hearing?
<input type="checkbox"/> Desk You submit the application documents to a review officer. The review officer will serve or send notice of the application to everyone who is required to be served or notified and will file the application documents with the Court. A court hearing before a judge will be required only if someone requests a hearing or a judge directs a hearing.
<input type="checkbox"/> Hearing You begin by filing the application documents with the clerk of the Court and setting a date for a hearing before a judge. You must then serve or send notice of the application and hearing to the adult, the review officer and various other persons. You will need to complete and file affidavits of service and attend the hearing, either in person or by legal counsel.

1.2 For what type(s) of order are you applying? (check all that apply)	
<input type="checkbox"/>	Appointment of guardian(s) for the adult
<input type="checkbox"/>	Appointment of trustee(s) for the adult
<input type="checkbox"/>	Review of a guardianship order granted on <u>(original appointment)</u> and most recently reviewed (if ever) on <u>(last review)</u>
<input type="checkbox"/>	Review of a trusteeship order granted on <u>(original appointment)</u> and most recently reviewed (if ever) on <u>(last review)</u>
<input type="checkbox"/>	Examination and approval of accounts for a trusteeship order granted on <u>(original appointment)</u> and for which accounts were most recently approved (passed) on <u>(last review)</u>

1.3 What is your relationship to the adult?	
I am the adult's:	
<input type="checkbox"/>	Parent
<input type="checkbox"/>	Child
<input type="checkbox"/>	Spouse
<input type="checkbox"/>	Brother/sister
<input type="checkbox"/>	Adult interdependent partner
<input type="checkbox"/>	Other (describe)

2 Information About the Adult

2.1 What is the adult's name, date of birth and marital status?				
Adult's full name				Other name (maiden / nickname)
Date of birth	yyyy	mm	dd	
Marital status				
<input type="checkbox"/> Adult interdependent partnership				
<input type="checkbox"/> Divorced				
<input type="checkbox"/> Married				
<input type="checkbox"/> Separated				
<input type="checkbox"/> Single				
<input type="checkbox"/> Widowed				

<input type="checkbox"/> Unknown

2.2 What is the adult's permanent address?				
Name of residential facility (if applicable)		Address		Suite
City	Province	Postal code	Country	Phone

2.3 What is the adult's present address (if different from permanent address)?				
Name of residential facility (if applicable)		Address		Suite
City	Province	Postal code	Country	Phone

3 Information About Current and Proposed Decision-Making Arrangements for the Adult

3.1 Does the adult already have a supporter under a supported decision-making authorization or a co-decision-maker, guardian or trustee?				
<input type="checkbox"/> Yes <input type="checkbox"/> No				
			Next review date	
			YYYY	MM DD
<input type="checkbox"/>	Supporter			
<input type="checkbox"/>	Co-decision-maker			
<input type="checkbox"/>	Guardian			
<input type="checkbox"/>	Trustee			

3.2 Provide the following information for each person who is currently a decision-maker or is proposed as a decision-maker for the adult. Indicate the current and proposed position(s) for each person, as applicable.				
Full name				
Address		City	Province	Postal code Country
Phone		Fax	Email	
Relationship to the adult				
Currently:	<input type="checkbox"/> Guardian	<input type="checkbox"/> Trustee	<input type="checkbox"/>	Co-decision-maker
	<input type="checkbox"/> Alternate	<input type="checkbox"/> Alternate	<input type="checkbox"/>	Supporter

		guardian		trustee		
Proposed as:	<input type="checkbox"/>	Guardian	<input type="checkbox"/>	Trustee		
	<input type="checkbox"/>	Alternate guardian	<input type="checkbox"/>	Alternate trustee		

3.3 Has the adult signed an enduring power of attorney?			
<input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, provide the following information for each attorney.			
Full name			
Address			
City	Province	Postal code	Country
Phone	Fax	Email	
Relationship to the adult			

3.4 Does the adult have a personal directive?			
<input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, provide the following information for the agent:			
Full name			
Address			
City	Province	Postal code	Country
Phone	Fax	Email	
Relationship to the adult			
Areas of agent's authority that may impact the application			

4 Information About Family Members and Other Interested Persons

4.1 Provide the following information for each living family member of the adult who fits into any of the following categories, lives in Canada, and has not already been listed in any of the questions above:

<ul style="list-style-type: none"> ● Spouse ● Parents ● Children 18 years of age or older ● Adult interdependent partner ● Brothers and sisters 18 years of age or older 			
Full name			
Address			
City	Province	Postal code	Country
Phone	Fax	Email	
Relationship to the adult			

4.2 If the adult is defined as an Indian by the *Indian Act*, is a member of a band and is ordinarily resident on a reserve, provide the following information:

Name of band			
Address of band office			
City	Province	Postal code	Country
Phone	Fax		

4.3 If there are any other interested persons who are 18 years of age or older who you think should be given notice of this application, provide their contact information and their relationship to the adult.

Full name			
Address			
City	Province	Postal code	Country
Phone	Fax	Email	
Relationship to the adult			

5 Information for Proposed Guardianship Order/Guardianship Order Review

Complete this section if you are applying for the appointment of a guardian or a review of a guardianship order.

5.1 If you are applying for a review of a guardianship order, what are you requesting the Court to do? (check all that apply)

- Continue the guardianship order
 - as is, without any amendment (except for the required review date, if any)
 - with amendments as requested in the application
- Terminate the guardianship order
- Replace the guardianship order*
- Discharge the following person(s) as guardian or alternate guardian:

* If the current order was issued under the *Dependent Adults Act* and you are not requesting the Court to terminate it, the order must be replaced with an order with wording that conforms with the *Adult Guardianship and Trusteeship Act*.

5.2 If you are requesting that the Court make, continue or replace a guardianship order, indicate the personal matters for which the guardian currently has authority, if applicable, and any personal matters for which you are proposing the guardian be given authority (check all that apply).

Current	Proposed	Matter
<input type="checkbox"/>	<input type="checkbox"/>	the adult's health care
<input type="checkbox"/>	<input type="checkbox"/>	where, with whom and under what conditions the adult is to live, either permanently or temporarily
<input type="checkbox"/>	<input type="checkbox"/>	the persons with whom the adult may associate
<input type="checkbox"/>	<input type="checkbox"/>	the adult's participation in social activities
<input type="checkbox"/>	<input type="checkbox"/>	the adult's participation in any educational, vocational or other training
<input type="checkbox"/>	<input type="checkbox"/>	the adult's employment
<input type="checkbox"/>	<input type="checkbox"/>	the carrying on of any legal proceeding that does not relate primarily to the financial matters of the adult
<input type="checkbox"/>	*	to decide whether the dependent adult should apply for any licence, permit, approval or other consent or authorization required by law
<input type="checkbox"/>	*	to make normal day-to-day decisions on behalf of the dependent adult including the diet and dress of the dependent adult
<input type="checkbox"/>	<input type="checkbox"/>	any other personal matter the Court considers necessary, specifically _____

* These matters are not specifically provided for by the *Adult Guardianship and Trusteeship Act* but may be identified in a guardianship order under the *Dependent Adults Act*.

5.3 If 2 or more guardians have been appointed or will be appointed for the adult, are you requesting the Court to make an order under section 31(2) of the *Adult Guardianship and Trusteeship Act*?

- Not applicable (only one guardian is or will be appointed)
- No (guardians to act separately)
- Yes (check all that apply)
- Give (name of guardian) exclusive authority to act and make decisions respecting the following personal matters of the adult:

- Authorize the guardians to act separately in respect of the following personal matters of the adult:

- Require the guardians to act jointly in respect of the following personal matters of the adult:

5.4 Does the capacity assessment report indicate that the adult's capacity to make decisions in personal matters is likely to improve?

- Yes
- No
- If yes, you must propose a review date below. If no, you may propose a review date or request the Court not to require a review within a certain period.*
- I propose that the Court require the guardianship order to be reviewed within year(s).
- I propose that the Court not require the guardianship order to be reviewed within a certain period.
- *Your affidavit must state why you believe your proposal regarding review of the order is in the best interests of the adult.

6 Information for Proposed Trusteeship Order/Trusteeship Order Review

Complete this section if you are applying for the appointment of a trustee or a review of a trusteeship order.

6.1 If you are applying for a review of a trusteeship order, what are you requesting the Court to do? (check all that apply)

- Continue the trusteeship order
- as is, without any amendment (except for the required review date, if any)

<input type="checkbox"/>	with amendments as requested
<input type="checkbox"/>	Terminate the trusteeship order
<input type="checkbox"/>	Replace the trusteeship order*
<input type="checkbox"/>	Discharge the following person(s) as trustee or alternate trustee: _____
* If the current order was issued under the <i>Dependent Adults Act</i> and you are not requesting the Court to terminate it, the order must be replaced with an order with wording that conforms with the <i>Adult Guardianship and Trusteeship Act</i> .	

6.2 Are you requesting that the Court give the trustee any special authority or direction or impose any special limitation or condition on the trustee's authority?	
<input type="checkbox"/>	No
<input type="checkbox"/>	Yes
If yes, indicate the special authority or direction you are requesting.	
<input type="checkbox"/>	Limit the trustee's authority to the following property or financial matters of the adult: _____
<input type="checkbox"/>	Extend the trustee's authority to the following land outside of Alberta, subject to the laws of the jurisdiction in which the land is located: _____
<input type="checkbox"/>	Authorize the trustee to permit the adult to open or maintain a deposit account at a financial institution, subject to any conditions that may be imposed by the Court, including: Maximum permitted monthly deposit amount \$ _____ Maximum permitted account balance \$ _____
<input type="checkbox"/>	Authorize the trustee to sell, transfer, or encumber the following real property of the adult: _____
<input type="checkbox"/>	Authorize the trustee to purchase the following real property on behalf of the adult: _____
<input type="checkbox"/>	Give exclusive authority to _____ (name of trustee) _____ over the following financial matters of the adult: _____
<input type="checkbox"/>	Authorize any one of the trustees to act separately in respect of the following financial matters of the adult: _____
<input type="checkbox"/>	Approve the following bond or other security to be provided by a non-resident trustee or alternate trustee: _____
<input type="checkbox"/>	Dispense with the requirement for a non-resident trustee or alternate trustee to provide a bond or other security.

6.3 Does the capacity assessment report indicate that the adult's capacity to make decisions in financial matters is likely to improve?	
<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
If yes, you must propose a review date below. If no, you may propose a review date or request the Court not to require a review within a certain period.*	
<input type="checkbox"/>	I propose that the Court require the trusteeship order to be reviewed within _____ year(s).
<input type="checkbox"/>	I propose that the Court not require the trusteeship order to be reviewed within a certain period.
* Your affidavit must state why you believe your proposal regarding review of the order is in the best interests of the adult.	

6.4 What is your proposal regarding periodic examination and approval of the trustee's accounts by the Court?*	
<input type="checkbox"/>	I propose that the Court require the trustee to submit accounts for the Court's examination and approval within _____ year(s).
<input type="checkbox"/>	I propose that the Court not require the trustee to submit accounts for the Court's examination and approval within a certain period.
* Your affidavit must state why you believe your proposal regarding periodic examination and approval of the accounts is in the best interests of the adult.	

7 Information for Examination and Approval of Trustee's Accounts

7.1 The Court is requested to examine and approve the trustee's accounts for the accounting period from _____ (start date) to _____ (end date).	
---	--

7.2 What order are you requesting the Court to make regarding the trustee's compensation for the accounting period?	
<input type="checkbox"/>	I am requesting the Court to approve the taking of compensation for the accounting period in accordance with an election made under section 66(2) of the Act.
<input type="checkbox"/>	I am requesting the Court to set the trustee's compensation and approve the taking of compensation for the accounting period.
<input type="checkbox"/>	I am not requesting compensation for the accounting period.
<input type="checkbox"/>	Other (describe).

7.3 What is your proposal regarding periodic examination and approval of the trustee's accounts by the Court?*	
<input type="checkbox"/>	I propose that the Court require the trustee to submit accounts for the Court's examination and approval within _____ year(s).
<input type="checkbox"/>	I propose that the Court not require the trustee to submit accounts for the

<input type="checkbox"/>	Court's examination and approval within a certain period.
* Your affidavit must state why you believe your proposal regarding periodic examination and approval of the accounts is in the best interests of the adult.	

8 Other Documents Submitted with Application

8.1 Along with this application form, I am submitting the following application documents to be filed with the clerk of the Court (check all that apply):	
<input type="checkbox"/>	Affidavit of applicant (Form 15)
<input type="checkbox"/>	Capacity assessment report (Form 4 of the Adult Guardianship and Trusteeship (Ministerial) Regulation) dated* <u> </u> (yyyy-mm-dd)
* The capacity assessment report must not be dated more than 6 months before you start the application unless you are specifically requesting the Court to accept an older report. You may make such a request by completing item 10.2 below.	
<input type="checkbox"/>	Guardianship plan (Form 32)
<input type="checkbox"/>	Guardian's record of decisions (Form 33)
<input type="checkbox"/>	Trusteeship plan (Form 34 or 35)
<input type="checkbox"/>	Consent to act of each proposed guardian (Form 24 or 25)
<input type="checkbox"/>	Consent to act of each proposed alternate guardian (Form 26)
<input type="checkbox"/>	Consent to act of each proposed trustee (Form 27 or 28)
<input type="checkbox"/>	Consent to act of each alternate trustee (Form 29)
<input type="checkbox"/>	Notice of application and hearing (if proposing that application proceed by hearing) (Form 17)
If current decision-making arrangements exist for the adult: <input type="checkbox"/> N/A	
<input type="checkbox"/>	Supported decision-making authorization
<input type="checkbox"/>	Personal directive
<input type="checkbox"/>	Enduring power of attorney
<input type="checkbox"/>	Co-decision-making order
<input type="checkbox"/>	Previously granted guardianship order
<input type="checkbox"/>	Previously granted trusteeship order
If applying to appoint a trustee, either: <input type="checkbox"/> N/A	
<input type="checkbox"/>	Inventory of the adult's assets and liabilities (Form 37), or
<input type="checkbox"/>	Undertaking of trustee(s) to file inventory after appointment (item 5 of trustee consent: Form 27)
If applying for examination and approval of trustee's accounts: <input type="checkbox"/> N/A	
<input type="checkbox"/>	Overview of trusteeship accounts (Form 38)
<input type="checkbox"/>	Inventory (Form 37)
<input type="checkbox"/>	Statement of transactions (Form 36)
<input type="checkbox"/>	Other (describe): _____

8.2 Personal references	
<input type="checkbox"/>	This section is not applicable.
<input type="checkbox"/>	I am submitting or will submit to a review officer two personal references for each proposed guardian, alternate guardian, trustee or alternate trustee who is not already a guardian, alternate guardian, trustee or alternate trustee, where required by the <i>Adult Guardianship and Trusteeship Regulation</i> . I understand that these documents will not be filed with the Court unless the Court subsequently directs the review officer to do so.

9 Request to Dispense with Service or Notice

<input type="checkbox"/>	This section is not applicable.
--------------------------	---------------------------------

9.1 The Court may dispense with service of the application documents on the adult in certain circumstances if the Court is satisfied service would be harmful to the adult. Are you requesting the Court to dispense with service of the application documents on the adult?	
<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

9.2 Are you requesting the Court to dispense with the requirement to give notice of the application to a person (other than the adult) to whom notice must otherwise be given?	
<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
If yes, give the following information for each person for whom you are asking the Court to dispense with notice. Your affidavit must state why you are requesting the Court to dispense with the requirement to give notice to this person.	
_____	_____
Name of person	Person's relationship to adult
Note: If you are making a desk application and you request the Court to dispense with notice to a person, the review officer will NOT send notice of the application to that person. If the Court decides not to dispense with notice to the person, a decision on your application will be delayed until the person is notified and given an opportunity to respond.	

10 Costs and Other Matters

10.1 How or by whom do you request all or part of the costs (i.e. legal fees, if applicable, and disbursements) of the application to be paid?	
<input type="checkbox"/>	I am asking the Court to order that my lawyer's fees for this application in the amount of \$_____, plus reasonable disbursements, be paid by or from the property of the adult.
<input type="checkbox"/>	I am asking the Court to order that my lawyer's fees for this application in

	an amount to be assessed, plus reasonable disbursements, be paid by or from the property of the adult.
<input type="checkbox"/>	I am asking the Court to order that the reasonable disbursements only be paid by or from the property of the adult.
<input type="checkbox"/>	I am asking the Court to order that the costs be paid by the Crown and have provided supporting information in my affidavit.
<input type="checkbox"/>	I am not asking the Court to make an order regarding costs. I will pay the costs myself.
<input type="checkbox"/>	Other: _____

10.2 Are you requesting the Court to give any direction, approval or dispensation not already described in this application?	
<input type="checkbox"/>	No
<input type="checkbox"/>	Yes. If yes, describe the requested direction, approval or dispensation: _____
If you are providing a draft order with your application, it must include terms to match any requested direction, approval, or dispensation identified in item 10.2.	
_____ Applicant's signature or signature of lawyer on behalf of applicant	_____ Date

(b) by repealing Form 15 and substituting the following:

**Form 15
Affidavit of Applicant
Appointment of Guardian or Trustee, Review of
Guardianship or Trusteeship Order, or
Examination and Approval of Trustee's Accounts
(in any combination)**

Court File Number _____
 Court _____ Court of Queen's Bench of Alberta (Surrogate Matter)
 Judicial Centre _____
 Full name of the person _____
 whom the application is _____
 about (the "adult") _____
 Document _____ Affidavit of Applicant

The contents of this affidavit must be adjusted as necessary to ensure that your affidavit accurately reflects the circumstances of your application.

I, _____ of _____,
 Name Address
 having personal knowledge of the facts and matters referred to in this affidavit except

where stated to be based on information and belief, **swear or affirm as follows:**

1 Information Required for All Applications

This section of the affidavit must be completed for all applications.

- 1.1 I make this affidavit in support of my application to appoint a
- guardian
 - trustee
- for _____ who is referred to in this affidavit as the “adult”.
- Not applicable

- 1.2 I am a
- guardian
 - trustee
- for _____ who is referred to in this affidavit as the “adult”.

- I make this affidavit in support of my application for a(n)
- review of a guardianship order
 - review of a trusteeship order
 - examination and approval of trustee’s accounts for the accounting period beginning _____ and ending _____.
 - Not applicable

- 1.3 I have personally completed or carefully read the application form and all other forms and documents set out in item 8 of the application form, and to the best of my knowledge the information in them is accurate and complete.

2 Information Required for Appointment of Guardian

This section of the affidavit must be completed if you are applying for the APPOINTMENT OF A GUARDIAN (or a guardian AND trustee) for the adult. Otherwise, the section should be omitted.

- 2.1 I believe the adult lacks the capacity to make decisions about the personal matters for which I am requesting the Court to appoint a guardian. This belief is based on my review of the capacity assessment report.

- 2.2 The following alternative measures that are less intrusive and less restrictive than guardianship have been **IMPLEMENTED** and have not been effective in meeting the adult’s needs for the following reason(s):

See note following paragraph 2.3. Describe alternative measures (e.g. supported decision-making, co-decision-making) that have been implemented and indicate why they were not effective in meeting the adult’s needs, indicating the source of your information. If alternative measures have not been implemented, say “None”.

2.3 The following alternative measures that are less intrusive and less restrictive than guardianship have been **CONSIDERED** and are not likely to be effective in meeting the needs of the adult for the following reasons:

Describe alternative measures (e.g. supported decision-making, co-decision-making) that have been considered and indicate why they are unlikely to be effective in meeting the adult's needs, indicating the source of your information. If alternative measures have not been considered, say "None".

Note: To make a guardianship order the Court must be satisfied that less intrusive and less restrictive alternative measures have either been implemented and have not been effective or have been considered and are unlikely to be effective.

2.4 In addition to information set out elsewhere in this affidavit, I have the following reasons for believing it would be in the adult's best interests for the Court to make the guardianship order requested in my application:

You should address the matters set out in section 26(7) of the Act. IF YOU HAVE NO ADDITIONAL INFORMATION, SAY "NONE".

2.5 I believe that each proposed guardian and each proposed alternate guardian (if any) will act in the best interests of the adult and is suitable as a guardian for the adult. This belief is based on the following information:

You should address the matters set out in section 28(1) of the Act because they must be considered by the Court.

2.6 I believe that my proposal with respect to periodic review of the guardianship order by the Court, as set out in item 5.4 of the application form, is in the best interests of the adult for the following reasons:

3 Information Required for Appointment of Trustee

This section of the affidavit must be completed if you are applying for the APPOINTMENT OF A TRUSTEE (or a guardian AND trustee) for the adult. Otherwise, the section should be omitted and the following sections and paragraphs renumbered accordingly.

3.1 I believe the adult lacks the capacity to make decisions about financial matters. This belief is based on my review of the capacity assessment report.

3.2 I believe that less intrusive and less restrictive alternative measures than trusteeship would not adequately protect the adult's interests in respect of financial matters, for the following reasons:

Describe any measures for managing the adult's financial affairs, other than trusteeship, that have been implemented or considered (e.g. an enduring power of attorney, appointment of an AISH benefits administrator) and indicate why such measures are or would be inadequate to protect the adult's financial interest.

indicating the source of your information.

3.3 In addition to information set out elsewhere in this affidavit, I have the following reasons for believing it would be in the adult's best interests for the Court to make the trusteeship order requested in my application:

You should address the matters set out in section 46(7) of the Act. IF YOU HAVE NO ADDITIONAL INFORMATION, SAY "NONE".

3.4 I believe that each proposed trustee and each proposed alternate trustee (if any) will act in the best interests of the adult and is suitable as a trustee for the adult. This belief is based on the following information:

You should address the matters set out in section 49(1)(a) of the Act because they must be considered by the Court.

3.5 I believe that my proposal with respect to periodic examination and approval of the trustee's accounts by the Court, as set out in item 6.4 of the application form, is in the best interests of the adult for the following reasons:

3.6 I believe that my proposal with respect to periodic review of the trusteeship order by the Court, as set out in item 6.3 of the application form, is in the best interests of the adult for the following reasons:

3.7 Add additional paragraphs as necessary to provide information in support of any special authority or direction that is being sought in relation to financial matters of the adult, such as authority to sell real property, or an order dispensing with the requirement for an out-of-province trustee or alternate trustee to provide a bond:

4 Information Required for Review of Guardianship Order – Continuing Order

This section of the affidavit must be completed if you are applying for the REVIEW OF A GUARDIANSHIP ORDER to CONTINUE the order. Otherwise, the section should be omitted.

Complete items 4.1 to 4.5 **only** if you are applying to continue a guardianship order.

4.1 I believe the adult continues to lack the capacity to make decisions about the personal matters for which I am requesting the Court to continue the authority of the guardian. This belief is based on my review of the capacity assessment report.

4.2 I believe that less intrusive and less restrictive alternative measures than guardianship would not be effective in meeting the adult's needs for the following reason(s):

Describe alternative measures (e.g. supported decision-making, co-decision-making) that have been implemented or considered and indicate why they have not been effective in meeting the adult's needs or are unlikely to be effective in meeting the adult's needs. Indicate the source of your information and belief.

4.3 In addition to information set out elsewhere in this affidavit, I have the following reasons for believing it would be in the adult's best interests for the Court to continue the guardianship order with amendments, if any, requested in my application:

You should address the matters set out in section 26(7) of the Act. IF YOU HAVE NO ADDITIONAL INFORMATION, SAY "NONE".

4.4 I believe that each proposed guardian and proposed alternate guardian (if any) will act in the best interests of the adult and is suitable as a guardian for the adult. This belief is based on the following information:

You should address the matters set out in section 28(1) of the Act because they must be considered by the Court.

4.5 I believe that my proposal with respect to periodic review of the guardianship order by the Court, as set out in item 5.4 of the application form, is in the best interests of the adult for the following reasons: _____

5 Information Required for Review of Guardianship Order – Terminating Order

This section of the affidavit must be completed if you are applying for the REVIEW OF A GUARDIANSHIP ORDER TO TERMINATE the order. Otherwise, the section should be omitted.

5.1 I believe that the adult is no longer in need of a guardian for the following reasons:

OR

5.1 I believe that an order terminating the guardianship order should be made for the following reasons:

You should address the matters set out in section 40(5)(b) of the Act because they must be considered by the Court.

5.2 I believe that the following suitable arrangements have been made or will be made in respect of the adult:

OR

5.2 I believe that another guardianship order in respect of the represented person has been or will be made.

6 Information Required for Review of Guardianship Order – Discharging Guardian and Appointing New Guardian

This section of the affidavit must be completed if you are applying for the REVIEW OF A GUARDIANSHIP ORDER for an order to DISCHARGE the guardian and APPOINT a new guardian. Otherwise, the section should be omitted.

6.1 I believe that an order discharging the guardian and appointing a new guardian should be made for the following reasons:

You should address the matters set out in section 40(5)(b) of the Act because they must be considered by the Court.

7 Information Required for Review of Trusteeship Order Continuing Order

This section of the affidavit must be completed if you are applying for the REVIEW OF A TRUSTEESHIP ORDER to CONTINUE the order. Otherwise, the section should be omitted.

7.1 I believe the adult continues to lack the capacity to make decisions about financial matters. This belief is based on my review of the capacity assessment report.

7.2 I believe that less intrusive and less restrictive alternative measures than trusteeship would not adequately protect the adult's interests in respect of financial matters, for the following reasons:

Describe any measures for managing the adult's financial affairs, other than trusteeship, that have been implemented or considered (e.g. an enduring power of attorney, appointment of an ALSH benefits administrator) and indicate why such measures are or would be inadequate to protect the adult's financial interests, indicating the source of your information.

7.3 In addition to information set out elsewhere in this affidavit, I have the following reasons for believing it would be in the adult's best interests for the Court to continue the trusteeship order with amendments, if any, requested in my application:

You should address the matters set out in section 46(7) of the Act. IF YOU HAVE NO ADDITIONAL INFORMATION, SAY "NONE".

7.4 I believe that each proposed trustee and proposed alternate trustee (if any) will act in the best interests of the adult and is suitable as a trustee for the adult. This belief is based on the following information:

You should address the matters set out in section 49(1)(a) of the Act because they must be considered by the Court.

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ADULT GUARDIANSHIP AND TRUSTEESHIP

7.5 I believe that my proposal with respect to periodic review of the trusteeship order by the Court, as set out in item 6.3 of the application form, is in the best interests of the adult for the following reasons: _____

7.6 I believe that my proposal with respect to the periodic examination and approval of the trustee's accounts by the Court, as set out in item 6.4 of the application form, is in the best interests of the adult for the following reasons: _____

**8 Information Required for Review of Trusteeship Order
Terminating Order**

This section of the affidavit must be completed if you are applying for the REVIEW OF A TRUSTEESHIP ORDER to TERMINATE the order. Otherwise, the section should be omitted.

8.1 I believe that the adult is no longer in need of a trustee for the following reasons:

OR

8.1 I believe that an order terminating the trusteeship order should be made for the following reasons:

You should address the matters set out in section 70(5)(b) of the Act because they must be considered by the Court.

8.2 I believe that the following suitable arrangements have been made or will be made in respect of the adult:

OR

8.2 I believe that another trusteeship order in respect of the represented person has been or will be made.

**9 Information Required for Review of Trusteeship Order
Discharging Trustee and Appointing New Trustee**

This section of the affidavit must be completed if you are applying for the REVIEW OF A TRUSTEESHIP ORDER for an order to DISCHARGE the trustee and APPOINT a new trustee. Otherwise, the section should be omitted.

9.1 I believe that an order discharging the trustee and appointing a new trustee should be made for the following reasons:

You should address the matters set out in section 70(5)(b) of the Act because they must be considered by the Court.

10 Information Required for Examination and Approval of Trustee's Accounts

This section of the affidavit must be completed if you are a trustee who is applying for the EXAMINATION AND APPROVAL OF YOUR TRUSTEE'S ACCOUNTS. Otherwise, the section should be omitted.

10.1 The financial statements submitted in support of my application referred to in item 8 of the application form

- show all property and liabilities (debts) of the adult that I have been able to ascertain by the exercise of reasonable care, skill and diligence, and
- show all transactions respecting the adult's property for the accounting period, including payments made or received and property acquired or disposed by the sale or otherwise.

10.2 During this accounting period, all of my actions as trustee have been taken in the best interests of the adult and in accordance with the trusteeship order and the trusteeship plan approved by the Court.

10.3 I believe that my proposal with respect to the periodic examination and approval of trusteeship accounts by the Court, as set out in item 7.3 of the application form, is in the best interests of the adult for the following reasons:

11 Request to Dispense with Service or Notice

Include this section only if you are requesting the Court to dispense with the requirement to serve the application on or send notice of the application to a particular person. If you are requesting the Court to dispense with service or notice to two or more persons, include a separate paragraph for each person.

11.1 I am requesting the Court to dispense with the requirement to send notice of the application to (name of person) for the following reasons:

State the facts that support your request for the Court to dispense with service or notice to the person.

12 Other Matters

If you are requesting the Court to give any direction, approval or dispensation in item 10.2 of the application form, enter information in support of that request here:

13 Costs

This section should only be completed if you are requesting the Court to make an order that the Crown in right of Alberta pay the costs of the application.

13.1 To the best of my information and belief, the adult’s financial resources and obligations are as follows:

Estimated monthly income from all sources	\$
Estimated value of cash and liquid assets, including bank accounts, GICs, investments and all assets that can readily be converted into cash	\$
Estimated value of real property (e.g. real estate, mineral rights, leases) and personal property not mentioned above	\$
Estimated total debts	\$

13.2 It would be a hardship for me, as applicant, to pay the costs of this application personally.

13.3 It would be a hardship for the adult to pay the costs of this application or for the costs of the application to be paid out of the adult’s property.

14 Sworn or Affirmed Affidavit

Sworn or affirmed before me on) _____, 20____,) at _____, Alberta) _____)) Notary Public/Commissioner for) Oaths in and for Alberta)	_____) Applicant’s signature)
---	------------------------------------

(c) by repealing Form 16 and substituting the following:

Form 16

**Notice of Application
Appointment of Guardian or Trustee,
Review of Guardianship or Trusteeship Order, or
Examination and Approval of Trustee’s Accounts
(in any combination)**

Court File Number _____
Court _____ Court of Queen’s Bench of Alberta (Surrogate Matter)
Judicial Centre _____
Full name of the person _____
whom the application is _____
about (the “adult”) _____

Document _____ Notice of Application
Applicant _____

1 <input type="checkbox"/> An application has been started by _____ to appoint one or more persons as

guardian(s)
 trustee(s)
 for _____ (the “**adult**”) on the ground that the adult lacks capacity to make decisions about personal matters or financial matters.

An application has been started by _____ for

- review of a guardianship order
- review of a trusteeship order
- examination and approval of the trustee’s accounts for the accounting period beginning _____ and ending _____ in respect of _____ (the “**adult**”).

2 The application requests the Court to appoint or continue the appointment of the following person(s) to the positions indicated:

Name	Relationship to adult	Proposed position			
		<input type="checkbox"/>	Guardian	<input type="checkbox"/>	Trustee
		<input type="checkbox"/>	Alternate guardian	<input type="checkbox"/>	Alternate trustee

3 The application requests the Court to do the following upon reviewing the guardianship order:

Continue the guardianship order

as is, without any amendment (except for the required review date, if any)

with amendments as requested

Terminate the guardianship order
 Replace the guardianship order
 Discharge the following person(s) as trustee or alternate guardian:

This item is not applicable.

4 The application requests the Court to do the following upon reviewing the trusteeship order:

Continue the trusteeship order

as is, without any amendment (except for the required review date, if any)

with amendments as requested

Terminate the trusteeship order
 Replace the trusteeship order
 Discharge the following person(s) as trustee or alternate trustee:

This item is not applicable.

5 If a guardian is being appointed for the first time, the application requests the Court to give authority to the guardian for the following PROPOSED personal matters.

If a guardianship order is being reviewed, the following are the personal matters for which the guardian CURRENTLY has authority. The application requests the Court to give authority to the guardian for the following PROPOSED personal matters.

Current	Proposed	Matter
<input type="checkbox"/>	<input type="checkbox"/>	the adult's health care
<input type="checkbox"/>	<input type="checkbox"/>	where, with whom and under what conditions the adult is to live, either permanently or temporarily
<input type="checkbox"/>	<input type="checkbox"/>	the persons with whom the adult may associate
<input type="checkbox"/>	<input type="checkbox"/>	the adult's participation in social activities
<input type="checkbox"/>	<input type="checkbox"/>	the adult's participation in any educational, vocational or other training
<input type="checkbox"/>	<input type="checkbox"/>	the adult's employment
<input type="checkbox"/>	<input type="checkbox"/>	the carrying on of any legal proceeding that does not relate primarily to the financial matters of the adult
<input type="checkbox"/>	*	to decide whether the dependent adult should apply for any licence, permit, approval or other consent or authorization required by law
<input type="checkbox"/>	*	to make normal day-to-day decisions on behalf of the dependent adult including the diet and dress of the dependent adult
<input type="checkbox"/>	<input type="checkbox"/>	any other personal matter the Court considers necessary, specifically _____

* These matters are not specifically provided for by the *Adult Guardianship and Trusteeship Act* but may be identified in a guardianship order under the *Dependent Adults Act*.

6 The application requests the Court to examine and approve the trustee's accounts for the accounting period from ___ (start date) ___ to ___ (end date) ___.

You have received an Overview of Trusteeship Accounts along with the Notice of Application.

This item is not applicable.

7 Subject to certain limitations, a trustee appointed under the *Adult Guardianship and Trusteeship Act* has authority to do anything in relation to the adult's financial affairs that the adult could do if the adult had capacity. One limitation is that a trustee other than the Public Trustee cannot sell land owned by the adult unless expressly authorized to do so by the Court.

This item is not applicable.

<input type="checkbox"/>	The application requests the Court to authorize the trustee to sell land owned by the adult.
--------------------------	--

8 The Court may consider the application and grant an order without holding a hearing unless a hearing is requested in accordance with the regulations. Any interested person is entitled to request a hearing.

9 You have received a blank **Request for Hearing** form along with this notice. You may request the Court to hold a hearing regarding the application by completing the Request for Hearing and submitting it to a review officer on or before this date:

10 The following documents have been submitted in support of this application:			
<input type="checkbox"/>	Application form	<input type="checkbox"/>	Consent to act
<input type="checkbox"/>	Affidavit of applicant	<input type="checkbox"/>	Capacity assessment report
<input type="checkbox"/>	Guardianship plan	<input type="checkbox"/>	Trusteeship plan
<input type="checkbox"/>	Guardian's record of decisions	<input type="checkbox"/>	Financial statements

To make enquiries about the application, you may contact the review officer by phone at _____.
The review officer's name is _____.
The review officer's file number is _____.

(d) by repealing Form 17 and substituting the following:

Form 17

**Notice of Application and Hearing
Appointment of Guardian or Trustee,
Review of Guardianship or Trusteeship Order, or
Examination and Approval of Trustee's Accounts
(in any combination)**

Court File Number _____
Court _____ Court of Queen's Bench of Alberta (Surrogate Matter)
Judicial Centre _____
Full name of the person whom
the application is about
(the "**adult**") _____
Document _____ Notice of Application and Hearing
Applicant _____

1	<input type="checkbox"/>	An application has been started by _____ to appoint one or more persons as
	<input type="checkbox"/>	guardian(s)
	<input type="checkbox"/>	trustee(s)

for _____ (the “adult”) on the ground that the adult lacks capacity to make decisions about personal matters or financial matters.

An application has been started by _____ for

review of a guardianship order

review of a trusteeship order

examination and approval of the trustee’s accounts for the accounting period beginning _____ and ending _____ in respect of _____ (the “adult”).

2 The application will be heard by a judge of the Court of Queen’s Bench of Alberta as follows:

Date:	
Time:	
Place:	

3 The application requests the Court to appoint or continue the following person(s) to the positions indicated:

Name	Relationship to adult	Proposed position			
		<input type="checkbox"/>	Guardian	<input type="checkbox"/>	Trustee
		<input type="checkbox"/>	Alternate guardian	<input type="checkbox"/>	Alternate trustee

4 The application requests the Court to do the following upon reviewing the guardianship order:

Continue the guardianship order

as is, without any amendment (except for the required review date, if any)

with amendments as requested

Terminate the guardianship order

Replace the guardianship order

Discharge the following person(s) as trustee or alternate guardian:

This item is not applicable.

5 The application requests the Court to do the following upon reviewing the trusteeship order:

Continue the trusteeship order

as is, without any amendment (except for the required review date, if any)

with amendments as requested

<input type="checkbox"/> Terminate the trusteeship order
<input type="checkbox"/> Replace the trusteeship order
<input type="checkbox"/> Discharge the following person(s) as trustee or alternate trustee: _____
<input type="checkbox"/> This item is not applicable.

6 If a guardian is being appointed for the first time, the application requests the Court to give authority to the guardian for the following PROPOSED personal matters.

If a guardianship order is being reviewed, the following are the personal matters for which the guardian CURRENTLY has authority. The application requests the Court to give authority to the guardian for the following PROPOSED personal matters.

Current	Proposed	Matter
<input type="checkbox"/>	<input type="checkbox"/>	the adult's health care
<input type="checkbox"/>	<input type="checkbox"/>	where, with whom and under what conditions the adult is to live, either permanently or temporarily
<input type="checkbox"/>	<input type="checkbox"/>	the persons with whom the adult may associate
<input type="checkbox"/>	<input type="checkbox"/>	the adult's participation in social activities
<input type="checkbox"/>	<input type="checkbox"/>	the adult's participation in any educational, vocational or other training
<input type="checkbox"/>	<input type="checkbox"/>	the adult's employment
<input type="checkbox"/>	<input type="checkbox"/>	the carrying on of any legal proceeding that does not relate primarily to the financial matters of the adult
<input type="checkbox"/>	*	to decide whether the dependent adult should apply for any licence, permit, approval or other consent or authorization required by law
<input type="checkbox"/>	*	to make normal day-to-day decisions on behalf of the dependent adult including the diet and dress of the dependent adult
<input type="checkbox"/>	<input type="checkbox"/>	any other personal matter the Court considers necessary, specifically _____

* These matters are not specifically provided for by the *Adult Guardianship and Trusteeship Act* but may be identified in a guardianship order under the *Dependent Adults Act*.

7 The application requests the Court to examine and approve the trustee's accounts for the accounting period from ___ (start date) ___ to ___ (end date) ___.

You have received an overview of Trusteeship Accounts along with the Notice of Application.

This item is not applicable.

8 Subject to certain limitations, a trustee appointed under the Act has authority to do anything in relation to the adult's financial affairs that the adult could do if the adult had capacity. One limitation is that a trustee other than the Public Trustee cannot sell land owned by the adult unless expressly authorized to do so by the Court.	
<input type="checkbox"/>	This item is not applicable.
<input type="checkbox"/>	The application requests the Court to authorize the trustee to sell land owned by the adult.

9 You may obtain any of the following documents filed in support of the application by requesting them from the applicant as soon as possible after you receive this notice:			
<input type="checkbox"/>	Application form	<input type="checkbox"/>	Consent to act
<input type="checkbox"/>	Affidavit of applicant	<input type="checkbox"/>	Capacity assessment report
<input type="checkbox"/>	Guardianship plan	<input type="checkbox"/>	Trusteeship plan
<input type="checkbox"/>	Guardian's record of decisions	<input type="checkbox"/>	Financial statements

If you consent to or do not oppose the application, you may:

- Do nothing further, or
- Attend at the hearing and indicate your position to the court.

If you oppose any part of the application, you should come to the hearing and tell the judge what part of the application you are opposed to, and why you are opposed. If you do not attend either in person or by your lawyer before the Court at the time and place shown above, the Court may give the applicant(s) what they want in your absence.

APPLICANT'S ADDRESS FOR SERVICE (Lawyer information)			
Law firm name	Responsible lawyer's name		Lawyer's file number
Street address	Suite	Other address information (e.g. P.O. Box)	
City	Province	Postal code	Country
Phone	Fax	Email	

APPLICANT'S ADDRESS FOR SERVICE (Non-lawyer application)				
Address	City	Province	Postal code	Country
Phone	Fax	Email		

(e) by repealing Form 18 and substituting the following:

Form 18

Order

**Appointment of Guardian or Trustee,
Review of Guardianship or Trusteeship Order, or
Examination and Approval of Trustee's Accounts
(in any combination)**

Court File Number _____

Court _____

Court of Queen's Bench of Alberta (Surrogate Matter)

Judicial Centre _____

Full name of the person whom
the application is about
(the "**adult**") _____

Document _____

Order *(select from the following)*

- Appointment of guardian
- Appointment of trustee
- Review of guardianship order
- Review of trusteeship order
- Examination and approval of trustee's accounts

Applicant _____

Applicant's address
for service and
contact information _____

(Order prepared by)

Date on which order was granted: _____

Location at which order was granted: _____, Alberta

Name of Judge who granted this order: The Honourable Justice _____

Include only those provisions that are appropriate to the application presented to the Court. Standard provisions should be modified as appropriate to the context (e.g., to refer to multiple guardians or trustees). Help text (including this box) should also be deleted before the order is presented to the Court.

The Court:

- has reviewed the written material filed in this application;
- has considered the application in the absence of the applicant and any other person, being satisfied that
 - no person entitled to do so has requested a hearing in accordance with the regulations, and
 - it is unnecessary to hold a hearing;
- has determined that the adult (*choose one*)
 - is 18 years of age or older;
 - will attain the age of 18 within 12 months of the date of the application;

(Include only if application is for the appointment of a guardian)

- has determined that the conditions for appointment of a guardian are satisfied, namely,
 - the adult does not have capacity to make decisions about the personal matters with respect to which the guardian is given authority by this order;
 - less intrusive and less restrictive alternative measures than the appointment of a guardian have been considered or have been implemented and would not likely be or have not been effective in meeting the needs of the adult;

- it is in the adult's best interests for a guardian to be appointed;

(Include only if application is for the appointment of a trustee)

- has determined that the conditions for appointment of a trustee are satisfied, namely,
 - the adult does not have the capacity to make decisions respecting any or all financial matters;
 - less intrusive and less restrictive alternative measures than the appointment of a trustee would not adequately protect the adult's interests in respect of financial matters;
 - it is in the adult's best interests for a trustee to be appointed;
- in accordance with section 54(4) of the Act, has considered whether it would be in the adult's best interests to impose any limits or conditions on the trustee's authority.

*(include only if your application is for review of a guardianship order, and the guardianship order is to **continue**)*

- has determined that the conditions for appointment of a guardian continue to be satisfied, namely,
 - the adult does not have capacity to make decisions about the personal matters with respect to which the guardian is given authority by this order;
 - less intrusive and less restrictive alternative measures than the appointment of a guardian have been considered or have been implemented and would not likely be or have not been effective in meeting the needs of the adult;
 - it is in the adult's best interests for a guardian to remain appointed;

*(include only if your application is for review of a guardianship order, and the guardianship order is to be **terminated**)*

- has determined that the adult is no longer in need of a guardian;

*(include only if your application is for review of a trusteeship order, and the trusteeship order is to **continue**)*

- has determined that the conditions for appointment of a trustee continue to be satisfied, namely,
 - the adult does not have the capacity to make decisions respecting any or all financial matters;
 - less intrusive and less restrictive alternative measures than the appointment of a trustee would not adequately protect the adult's interests in respect of financial matters;
 - it is in the adult's best interests for a trustee to remain appointed;
- in accordance with section 54(4) of the Act, has considered whether it would be in the adult's best interests to impose any limits or conditions on the trustee's authority;

*(include only if your application is for review of a trusteeship order, and the trusteeship order is to be **terminated**)*

- has determined that the adult is no longer in need of a trustee.

And the Court Orders:

(Note: Delete all of section 1 if the application is not for appointment of a guardian or the review of a guardianship order and renumber the following sections and paragraphs accordingly.)

1 Appointment of Guardian/Guardianship Order Review

(Include in all cases where the application is to appoint a guardian or to review and continue or replace a guardianship order.)

1.1 <u> (Name of guardian(s)) </u> is (are) appointed or continued as a guardian(s) of <u> (name of adult) </u> with authority to act and make decisions with respect to:	
<input type="checkbox"/>	the adult's health care;
<input type="checkbox"/>	where, with whom and under what conditions the adult is to live, either permanently or temporarily;
<input type="checkbox"/>	with whom the adult may associate;
<input type="checkbox"/>	the adult's participation in social activities;
<input type="checkbox"/>	the adult's participation in any educational, vocational or other training;
<input type="checkbox"/>	the adult's employment;
<input type="checkbox"/>	the carrying on of any legal proceeding that does not relate primarily to the financial matters of the adult;
<input type="checkbox"/>	the following personal matter(s) of the adult that the Court considers necessary, namely: _____ (specified matters)

(Include only if requested in application.)

1.2 The guardianship order is terminated.

(Include only if requested in application.)

1.3 <u> (Name of guardian(s)) </u> is (are) discharged as guardian(s) of the adult.

(Include only if requested in application.)

1.4 <u> (Name of one of 2 or more guardian(s)) </u> has exclusive authority to act and make decisions respecting the following personal matters of the adult: _____ (specified matters)
--

(Include only if requested in application.)

1.5 The guardians must act jointly with respect to the following personal matters of the adult: _____ (specified matters)

(Include only if requested in application.)

1.6 <u> (name of alternate guardian(s)) </u> is (are) appointed as alternate guardian(s) for the adult with authority to act as guardian(s), without further proceedings, on an event referred to in section 32(3) of the Act.
--

(Include if you are applying to appoint a guardian, or if you are applying to review and continue or replace a guardianship order.)

1.7 The guardianship plan as submitted is approved.

(Include if you are applying to appoint a guardian or if you are applying to review a guardianship order, unless you are applying to terminate the guardianship order.)

1.8 The authority of the guardian(s) is (are) subject to the following conditions, limits or requirements: _____
(reserved for conditions, limits or requirements considered appropriate by Court)

(Include only if requested in application.)

1.9 The authority of ___ (name of agent) ___ under the adult's personal directive dated _____ (date)

is wholly terminated

is terminated for the following areas of authority but otherwise remains in effect:
_____ (areas of authority terminated)

(Include if you are applying to appoint a guardian or to review a guardianship order, unless you are applying to terminate the guardianship order.)

1.10 (Name of guardian) must apply for a review of this guardianship order

within _____ years of the date of this order, OR

as circumstances require (no fixed date),

AND in any event

- if there has been a significant change in the needs, circumstances or capacity of the adult that the guardian considers would make a variation or termination of the order in the adult's best interests, OR
- if there has been a change in circumstances that affects the guardian's ability to exercise the authority or carry out the duties and responsibilities of guardian or suitability to be a guardian for the adult.

(Include if you are applying to appoint a guardian and the adult is the subject of a co-decision-making order.)

1.11 The co-decision-making order dated (date of order) is hereby terminated.

(Note: If you are not applying to appoint a trustee or to review a trusteeship order, delete all of section 2 and renumber the following sections and paragraphs accordingly.)

2 Appointment of Trustee/Trusteeship Order Review

(Include if you are applying to appoint a trustee or to review a trusteeship order.)

2.1 (Name(s) of trustee(s)) is (are) appointed or continued as to be trustee(s) of (name of adult).

(Include only if requested in application.)

2.2 The trusteeship order is terminated.

(Include only if requested in application.)

2.3 (Name(s) of trustee(s)) is (are) discharged as trustee(s) of the adult.

(Include only if requested in application.)

2.4 (Name(s) of alternate trustee(s)) is (are) appointed as alternate trustee(s) for the adult with authority to act as trustee(s), without further proceedings, on an event referred to in section 53(3) of the Act.

(Include unless application requests narrower scope for order.)

2.5 This order applies

- to all personal property of the adult;
- to all real property of the adult in Alberta.

(Include only if requested in application.)

2.6 This trusteeship order applies only to the following property or financial matter(s) of the adult: (property or financial matter(s) to which the order is to apply)

(Include only if requested in application.)

2.7 To the extent it is recognized by the courts of, and subject to compliance with the laws of (name of jurisdiction), this order applies to the following real property of the adult:
(describe the real property located outside Alberta to which the order is to apply)

(Include if you are applying to appoint a trustee, or if you are applying to review and continue or replace a trusteeship order.)

2.8 The trusteeship plan as submitted is approved.

(Include if you are applying to appoint a trustee or to review a trusteeship order, unless you are applying to terminate the trusteeship order.)

2.9 Except as otherwise provided by the Act, the regulations or this order, the trustee(s) has (have) authority, with respect to the property to which this order applies, to

- take possession and control of the property;
- do anything in relation to the adult's financial matters that the adult could do if capable of making decisions with respect to such financial matters, and
- sign all documents and do all things necessary to give effect to any power or authority vested in the trustee.

(Include unless the Public Trustee is the proposed trustee or you are applying to terminate a trusteeship order.)

2.10 The trustee(s) has (have) no authority to sell, transfer, or encumber the real property of the adult or to purchase real property on behalf of the adult, except as follows:

- the trustee(s) may lease the real property of the adult for a term not exceeding 3 years;
- the trustee(s) may register this order against the title to the adult's real property and the Registrar of Land Titles shall register this order notwithstanding section 191(1) of the *Land Titles Act*;

The trustee(s) is (are) authorized to: (authority to deal with real property specifically given to the trustee by the trusteeship order)

(Include only if requested in application.)

2.11 The trustee(s) is (are) authorized to permit the adult to open or maintain a deposit account, subject to the following limitations:

- no more than \$_____ may be deposited into the account in any month;
- the total balance must not exceed \$_____ at any time.

(Include only if requested in application.)

2.12 (Name of one of 2 or more trustees) has exclusive authority with respect to the following financial matters of the adult: _____
 (matters over which trustee has exclusive authority)

(Include only if requested in application.)

2.13 Any one of the trustees may exercise the authority granted to the trustees by this order with respect to the following financial matters of the adult: _____
 (matters for which any one trustee may act)

(Include only if the trustee is non-resident and you have not requested the Court to dispense with the requirement to provide a bond or other security.)

2.14 The following bond or security provided by (name of non-resident trustee or alternate trustee) , as a non-resident trustee or alternate trustee, is approved:
 (description of nature, value and terms of bond or security)

(Include only if requested in application.)

2.15 The requirement for (name of non-resident trustee or alternate trustee) to provide a bond or other security is dispensed with.

(Include if you are applying to appoint a trustee or to review a trusteeship order, unless you are applying to terminate the trusteeship order.)

2.16 The trustee's authority is subject to the following additional limits or conditions:
_____ (reserved for additional limits or conditions imposed by Court)

(Include if you are applying to appoint a trustee or to review a trusteeship order, unless you are applying to terminate the trusteeship order.)

2.17 (Name of trustee) must apply for a review of this trusteeship order

within _____ years of the date of this order, OR

as circumstances require (no fixed date),

AND in any event

- if there has been a significant change in the needs, circumstances or capacity of the adult that the trustee considers would make a variation or termination of the order in the adult's best interests, OR
- if there has been a change in circumstances that affects the trustee's ability to exercise the authority or carry out the duties and responsibilities of trustee or suitability to be a trustee for the adult.

(Include if inventory of assets and liabilities is not submitted with application.)

2.18 The trustee(s) must submit an inventory of the assets and liabilities of the adult within 6 months of the date of this order.

(Include only if requested in application.)

2.19 (Name(s) of trustee(s)) must submit trustee's accounts for examination and approval by the Court

within _____ years of the date of this order, OR

as circumstances require (no fixed date),

AND in any event, whenever directed to do so by the Court.

(Include if you are applying to appoint a trustee and the adult is the subject of a co-decision-making order.)

2.20 The co-decision-making order dated (date of co-decision-making order) is hereby terminated.

(Include if you are applying to appoint a trustee and the adult has signed an enduring power of attorney.)

2.21 The enduring power of attorney dated (date of enduring power of attorney) is hereby terminated.

3 Examination and Approval of Trustee's Accounts

(Include if you are applying for examination and approval of trustee's accounts.)

3.1 The accounts of the trustee (s) (name of trustee(s)) for the period (start date) to (end date) are approved.

(Include if requested in application.)

3.2 The trustee is entitled to compensation in the amount of
 \$ (amount of compensation) .

(Include if you are applying for examination and approval of trustee's accounts unless you are also applying to terminate the trusteeship order.)

3.3 (Name(s) of trustee(s)) must submit trusteeship accounts for examination and approval by the Court

within _____ year(s) of the date of this order, OR

as circumstances require (no fixed date),

AND in any event, whenever directed to do so by the Court.

4 Costs of Application

4.1 The following order is made regarding costs (legal fees and disbursements) of this application:

Legal fees for this application

in the amount of \$ (amount)

to be taxed

plus reasonable disbursements shall be paid by
 (person or source to pay costs) .

Reasonable disbursements only shall be paid by
 (person or source to pay disbursements) .

No order is made regarding payment of legal fees or disbursements.

5 Other Matters

5.1 All requirements of the Act and regulations regarding service or sending of notice of this application are deemed to have been satisfied including requirements as to:

- the persons to be notified of this application;
- the documents to be served or sent to such persons;
- the manner of and time for serving or sending documents.

Notice of this application to the represented adult is dispensed with.

Notice of this application to the following person(s) is (are) dispensed with:

Name	Relationship to adult
_____	_____
_____	_____

5.2 The following direction is given regarding service of this order:

Except as otherwise provided below, a copy of this order must be sent by ordinary mail to the adult, the review officer, and every other person who was notified of this application.

A copy of this order must be served on (name of person to be served) by the following method of service:

(Include if you are making the application in respect of a person who has not yet attained the age of majority but will do so within 12 months.)

5.3 In accordance with section 24(2)(b) or 43(3)(b) of the Act, this order does not take effect until the person in respect of whom it is made attains the age of majority.

(Include if you are applying for any other direction, approval or dispensation in item 10.2 of the application form.)

5.4 *(set out terms of requested direction, approval or dispensation)*

Justice of the Court of Queen's Bench of Alberta

(f) by repealing section 29 of Form 34 and substituting the following:

29 An individual trustee or alternate trustee who is not a resident of Alberta must provide a bond or other form of security (collateral) unless the Court dispenses with this requirement.

Are you requesting that the Court dispense with the requirement for a non-resident trustee or a non-resident alternate trustee to provide a bond or other form of security?

Yes* No

*If yes, explain why it would be in the adult's best interest for the Court to dispense with a bond or security, and describe any alternative safeguard you are proposing.

(g) by repealing Form 37 and substituting the following:

Form 37

Inventory

Court File Number

Court

Court of Queen's Bench of Alberta (Surrogate Matter)

Judicial Centre

Full name of the person
whom the application is
about (the "adult")

Applicant

Document

Inventory

I, _____ of _____
Trustee name Trustee address
and I, _____ of _____
Trustee name Trustee address
trustee(s) for the adult, **swear or affirm that this inventory accurately discloses and describes the adult's financial position as of this date:**

_____ (dd/mm/yyyy)

I have personal knowledge of the facts and matters referred to in this inventory except where stated to be based on information and belief.

Summary

Value of adult's assets and liabilities		Amount	Line
Land (net of mortgages)	Schedule A, Line A1		1
Financial assets	Schedule B, Line B3		2
Other assets	Schedule C, Line C3		3
Total assets	Add Lines 1, 2 and 3		4
Total liabilities (excluding mortgages on land)	Schedule D, Line D1		5
Adult's net financial position	Line 4 minus Line 5		6
Adult's average monthly income and expenses		Amount	
Average monthly income	Schedule E, Line E1		7
Average monthly expenditures	Schedule F, Line F1		8
Average monthly income surplus (deficiency)	Line 7 minus Line 8		9

Schedule A — Land Owned by Adult

Land owned by the adult could include any combination of the following:

- residential property (e.g. a house, condominium, cottage), agricultural land, commercial or industrial property, vacant land;
- mineral title (ownership of minerals on or under land);
- land owned solely by the adult or owned by the adult as co-owner with someone else (as joint owners or tenants-in-common)

Does the adult own any land?

- Yes Enter the number of different properties the adult owns, either solely or as co-owner: _____
- No Enter \$0 in Line A1 below.
- Unknown Enter \$0 in Line A1 below.

Total net value of adult's interest in land* Line A1

*This is the total of the adult's share of the net value of all land owned by the adult. It is calculated based on the information entered below for each property owned by the adult. \$ _____

Provide details for each property owned by the adult:
Municipal address (if applicable)

Legal description of land or property

Co-owner's name and relationship to adult (if applicable)

(Name) (Relationship)

Total market value of property: \$ _____
Amount owed on mortgage or other encumbrance: \$ _____
Net value of property: \$ _____
Adult's ownership share of property: _____ %
Adult's share of net property value: \$ _____

Basis of valuation
 Recent valuation by accredited appraiser
Date of valuation: (dd/mm/yyyy) _____
 Most recent municipal assessment
 Other (describe) _____
A current copy of the certificate of title for this land is attached as an exhibit
(A, B, C, etc.).
 Yes (Exhibit _____)
 No
 N/A

Schedule B — Financial Assets Owned by Adult			
Type		Value	Line
Accounts held at financial institutions	Schedule BA, Line BA1	\$	B1
Other financial assets	Schedule BB, Line BB1	\$	B2
Total value of adult's Financial Assets		\$	B3

Schedule BA — Accounts Held at Financial Institutions
Provide details of financial assets held in accounts with financial institutions, including bank accounts (e.g., chequing accounts, savings accounts) and investment accounts (e.g., RRSPs, RDSPs, RIFs, TFSAs). Include accounts that are owned solely by the adult AND accounts that are owned jointly by the adult with someone else.
If a financial asset owned by the adult is held outside of a financial institution (e.g., cash or security certificates held in a safety deposit box), it should be recorded in Schedule BB (Other Financial Assets).

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Financial institution	Partial account ID (last 4 digits of account no.)	Joint owner's name and relationship to adult (if applicable)	Account type	Value/balance of account (\$)	Adult's share (%)	Adult's share (\$)	Line
Total value of adult's share of accounts held at financial institutions \$ _____							BA1

Are you providing a copy of a current statement for each account? If so, attach as exhibits (A, B, C, etc.).

- Yes (Exhibit _____)
- No

Schedule BB — Other Financial Assets

Provide details of any financial assets owned by the adult that are not included in schedule BA. This could include, for example:

- cash on hand or balance in an account maintained for the adult's use with a residential facility,
- guaranteed accounts,
- safety deposit boxes,
- security certificates (e.g., share certificates, gross royalty trust certificates, savings bonds) not held in an investment account,
- shareholder loans to private corporations,
- shares in private corporations,
- interest in a partnership or a sole proprietorship,
- interest in a trust or in a deceased person's estate,
- interest in an ongoing or potential lawsuit (e.g., personal injury claim), or
- private debts owed to the adult.

Description and location	Valuation basis	Value	Line
Total value of adult's other financial assets		\$	BB1

Schedule C — Other Assets

This schedule should include all property owned by the adult that is of significant monetary value and is not included in any other schedule. Examples of other types of property that might be owned by the adult and included in this schedule include:

- Farm assets (e.g., equipment, tools, livestock, crops, seed, quotas),
- Business assets (e.g., equipment, inventory),
- Household and personal effects, or
- Motor vehicles (e.g., cars, trucks, motorcycles, recreational vehicles, off-road vehicles, snowmobiles).

Include an item or a distinct set of items (e.g., a coin collection) only if the estimated market value of the item or set is at least **\$1,000**. For estimated value, give the estimated amount for which the property could be sold to an arm's-length purchaser. If the adult owns property that has significant monetary value, but it is not currently possible to give a reasonable estimate of its market value, describe the property and indicate "1.00" as its estimated market value.

Description (include as much detail as possible)	Estimated Market Value	Line
	\$	
	\$	
Total estimated market value of adult's assets	\$	C1

Schedule D — Liabilities

This schedule should include all money owed by the adult, other than loans secured by mortgages against land.

It includes, for example, credit card debts, personal loans, car loans, lines of credit and ongoing or potential lawsuits against the adult. Include any liabilities in respect of which the adult has a co-debtor, that is, someone who is also legally responsible for the debt.

State the total amount owing on the loan, not the amount of the monthly payment, if any.

Creditor	Account no.	Description of liability	Co-debtor (if applicable)	Amount owed	Line
				\$	
				\$	
Adult's total liabilities (excluding encumbrances on land)				\$	D1

Schedule E — Income

For each of the adult's sources of income, indicate the average monthly amount received.

If the adult receives income from a source at non-monthly intervals (e.g., quarterly), convert the payments to an equivalent monthly amount.

Source of income	Average monthly amount	Line
Assured Income for the Severely Handicapped (AISH)/ Income Support	\$	
Alberta Seniors Benefit	\$	
Old Age Security (OAS)/Guaranteed Income	\$	

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Supplement		
Canada Pension Plan (CPP) (e.g., retirement pension, survivor's pension, disability benefit)	\$	
Private pension	\$	
Foreign pension	\$	
Workers' compensation payments	\$	
Life annuity (issued by insurance company)	\$	
Investment income (e.g., interest, dividends, distributions)	\$	
Employment income	\$	
Spousal/partner/child support received	\$	
Spousal/survivor allowance	\$	
Other (describe)	\$	
Estimated total monthly income	\$	E1

Schedule F — Expenses

For each type of expense incurred by the adult, indicate the average monthly amount of each type of expense incurred.

If an expense is incurred irregularly or at non-monthly intervals (e.g., quarterly), convert the payments to an equivalent average monthly amount.

Expenditure type	Average monthly amount	Line
Mortgage payment (including both principal and interest portion)	\$	
Utilities	\$	
Property maintenance	\$	
Property taxes	\$	
Condominium fees	\$	
Accommodation fees in a care facility	\$	
Rent or room and board	\$	
Food (not included above)	\$	
Prescriptions (not included above)	\$	
Caregiver and companionship expenses	\$	
Adult's personal spending	\$	
Vehicle expenses (e.g., gas, maintenance, insurance)	\$	
Other transportation and travel expenses	\$	
Education and training	\$	
Storage charges for adult's property	\$	
Insurance	\$	
Spousal/partner/child support paid	\$	
Other (describe)	\$	
Total average monthly expenses	\$	F1

Sworn or affirmed before me on)	
_____, 20____,)	
at _____, Alberta)	
_____)	
Notary Public/Commissioner for)	_____ Signature
Oaths in and for Alberta)	

(h) by repealing Form 38 and substituting the following:

Form 38

Overview of Trusteeship Accounts

Court File Number _____
 Court _____ Court of Queen’s Bench of Alberta (Surrogate Matter)
 Judicial Centre _____
 Full name of the person
 whom the application is
 about (the “adult”) _____
 Applicant _____
 Document _____ Overview of Trusteeship Accounts

I, _____, of _____,
 Trustee name Trustee address
 and I, _____, of _____,
 Trustee name Trustee address
 trustee(s) for the adult, **swear or affirm that this overview of trusteeship accounts provides an accurate overview of trusteeship accounts for the accounting period from: (start date) to (end date).**
 I have personal knowledge of the facts and matters referred to in this overview of trusteeship accounts except where stated to be based on information and belief.

The start date is the date as of which the adult’s financial position was most recently reported to the Court, which occurred in the following context:

- Filing of initial inventory when I became the adult’s trustee
- Application to pass accounts under the *Dependent Adults Act* (“DAA”)
- Filing of accounts with clerk and approval by Court in form filed under DAA
- Filing of summary accounting statement under DAA
- Application for examination and approval of trustee’s accounts under the *Adult Guardianship and Trusteeship Act*
- Other (describe): _____

1 Summary of Start Date and End Date Financial Position

Adult’s assets and liabilities (debts)	Start date	End date
Land (net of mortgages)		
Financial assets		
Other assets		
Total assets		
Total liabilities (excluding mortgages on land)		
NET FINANCIAL POSITION		

For start date income and expenditures, use amounts previously reported to the Court. For end date income and expenditures, use the average for the 12 months immediately preceding the end date.		
Adult's monthly income and expenditures	Start date	End date
Average monthly income from all sources		
Average monthly expenditures for all purposes		
Average monthly surplus (deficit)		

2 Summary of Assets and Liabilities as of End Date

Land (including mineral titles, if any)					
Description	Total market value of property (\$)	Amount owed on mortgage or other encumbrance (\$)	Net value of property (\$)	Adult's ownership share of property %	Adult's share of net property value (\$)
Adult's total share of net property value					
Financial assets					Amount
Total value of adult's share of accounts held at financial institutions					
Total value of adult's other financial assets (e.g. guarantee account, cash, private company shares, private debts)					
Total financial assets					
Other assets					Amount
Total estimated market value of adult's other assets (e.g., motor vehicles, farm assets, business assets, personal and household effects)					
Total other assets					
TOTAL ASSETS					
Liabilities (other than encumbrances on land)					
Name of creditor	Description of loan or liability			Amount	
TOTAL LIABILITIES					

3 Summary of Receipts and Disbursements

A statement summarizing the receipts and disbursements is attached as Exhibit _____.

Start date balance		\$
Receipts		
Pension and program benefits (describe sources)		
Source		\$
Source		\$
Source		\$
Employment or self-employment earnings		\$
Rental income		\$
Spousal/partner/child support received		\$
Proceeds received from sale of property		\$
Bank interest received		\$
Transfers from other financial asset accounts		\$
Other receipts		\$
Total receipts		\$
Payments and transfers		
Land ownership payments (e.g., mortgage, taxes)		\$
General expenditures for adult's benefit		
Paid to residential care facility (e.g., nursing home)		\$
Other accommodation expenses (e.g., rent)		\$
Other food expenses		\$
Other personal care and companionship expenses		\$
Advances to adult for personal use		\$
Recreation expenses		\$
Vehicle, transportation and travel expenses		\$
Insurance premiums		\$
Income tax paid		\$
Payments on debts (e.g., personal loans, credit cards)		\$
Spousal/partner/child support paid		\$
Property purchased for adult		\$
Gifts and donations made		\$
Bank charges paid		\$
Transfers to other financial asset accounts		\$
Reimbursement of guardian's expenses		\$
Trust administration expenses		\$
Trustee compensation taken		\$
Other payments		\$
Total payments and transfers		\$
End date balance		\$

4 Summary Reconciliation of Other Assets and Liabilities

Note: Provide details of any increase or decrease in the following categories. The end date net values in the tables below should match the values that have been entered into the Inventory (Form 37). An insufficient explanation of changes may delay the approval of your accounts or cause the Court not to approve your accounts as submitted.

Land — net value of adult's interest	Start date net value	End date net value	Change during period
	\$	\$	\$

Financial assets — value of adult's interest			
	\$	\$	\$

Other assets — value of adult's interest			
	\$	\$	\$

Liabilities — amounts owed by adult (excluding mortgages on land)			
	\$	\$	\$

5 Other Matters

During the accounting period, has the trustee or any member of the trustee's family (other than the represented adult) received any benefit as a result of the exercise of the trustee's authority or made any personal use of the adult's property?

- No
- Yes. Details of the benefit or use: _____

6 Proposed Compensation

Note: If there are two or more trustees who have elected to be compensated in the trusteeship plan, the total compensation must be shared between the trustees.

- Not applicable. I choose not to receive compensation for acting as a trustee for this accounting period.
- I am proposing compensation be determined on a basis other than the prescribed schedule.
Details: _____
- Yes. I propose that compensation be calculated in accordance with the compensation schedule set out in the regulations as follows:

Compensation calculation category	Category amount for period	Compensation	Compensation amount
Money received by trustee during accounting period	\$	2.5%	\$

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Payments made by trustee during accounting period	\$	2.5%	\$
Total compensation claimed for period			\$

Sworn or affirmed before me on)	
_____ , 20__ ,)	
at _____ , Alberta)	
)	
_____)	_____
Notary Public/Commissioner for)	Signature
Oaths in and for Alberta)	

15 Forms 19 to 23 are repealed.