

1992 BILL 231

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Fourth Session, 22nd Legislature, 41 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 231

ENERGY EFFICIENCY ACT

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REV. MR. ROBERTS

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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## **BILL 231**

1992

### **ENERGY EFFICIENCY ACT**

*(Assented to , 1992)*

HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

**Definitions**

**1** In this Act,

- (a) "Minister" means Minister of Energy;
- (b) "prescribed" means prescribed by the regulations;
- (c) "regulations" means regulations made under this Act.

**Applications**

**2** This Act applies to the following appliances and products:

- 1. Central air conditioners.
- 2. Clothes dryers.
- 3. Clothes washers.
- 4. Dishwashers.
- 5. Freezers.
- 6. Furnaces.
- 7. Heat pumps.
- 8. Ovens.
- 9. Ranges.
- 10. Refrigerators.
- 11. Room air conditioners.
- 12. Pool heaters.
- 13. Water heaters.
- 14. Prescribed appliances and products.

Appliances and  
products,  
efficiency  
standards

3(1) No person shall offer for sale or lease an appliance or product to which this Act applies unless,

(a) the appliance or product meets the prescribed efficiency standard with respect to the appliance or product; and

(b) a prescribed label that sets out the efficiency standard of the appliance or product is affixed to the appliance or product.

Labels

(2) No person shall affix a prescribed label to an appliance or product to which this Act applies unless the appliance or product meets the prescribed efficiency standard with respect to the appliance or product.

Application of  
subs.(1)

(3) Subsection (1) does not apply to:

(a) an appliance or product that is manufactured on or before a prescribed date and that is sold or leased on or before a prescribed date; or

(b) a person who is not in the business of offering for sale, selling or leasing appliances or products to which this Act applies.

Inspectors

4(1) The Deputy Minister may designate in writing any person as an inspector for the purposes of this Act.

Powers

(2) For the purposes of this Act and the regulations, an inspector designated under subsection (1),

(a) may, at any reasonable time, enter any place where an appliance or product to which this Act applies is manufactured, offered for sale, sold or leased;

(b) may request the production for inspection of documents or things that may be relevant to the carrying out of an inspection or test on an appliance or product to which this Act applies;

(f) may inspect and test any appliance or product to which this Act applies to ensure that the appliance or product complies with the provisions of this Act and the regulations, and

(g) to remove an energy using device to another place, upon

the giving of a receipt for it, for the purpose of testing to ensure that the energy using device complies with the provisions for this Act, and the inspector shall promptly return the energy using device upon completion of testing to the place from which it was removed.

(h) to request information of production for inspection of documents or things that may be relevant to the carrying out of an inspection or test on an energy using device to which this Act applies, and

(i) to remove documents or things produced pursuant to a request under paragraph (d), upon the giving of a receipt for it, for the purpose of making copies or extracts and the inspector shall promptly return them to the person who produced them.

(j) may require any person to co-operate in an assist with an inspection or test.

Entry of dwelling

(3) A person shall not exercise a power of entry conferred by the Act to enter the dwelling of a person who is not in the business of manufacturing, offering for sale, selling or leasing appliances or products to which this Act applies.

(4) A person shall not exercise a power of entry conferred by this Act to enter a place that is being used as a dwelling without the consent of the occupier except under the authority of a warrant issued under this section.

Warrant for search

(5) Where a justice of the peace is satisfied on evidence upon oath that there are in a place documents or things that there is reasonable ground to believe will afford evidence relevant to the carrying out of an inspection or test under this Act, the justice of the peace may issue a warrant in the prescribed form authorizing the person named in the warrant to search the place for any such document or things and to remove them for the purposes of making copied or extracts and they shall be returned promptly to the place from which they were removed.

Warrant for entry

(6) Where a justice of the peace is satisfied on evidence on oath that there is reasonable ground to believe it is necessary that a place being used as a dwelling or to which entry has been denied be entered so that an inspector may carry out an inspection or test under this Act, the justice of the peace may

issue a warrant in the prescribed form authorizing such entry by the person named in the warrant.

Execution and  
expiry of warrant

(7) A warrant issued under this section,

(a) shall specify the hours and days during which it may be executed; and

(b) shall name a date on which it expires, which date shall not be later than 15 days after its issue.

(8) No person shall binder, obstruct, impede or otherwise interfere with an inspector,

(a) who is exercising a power under subsection (2); or

(b) who is executing a warrant.

(9) Where information is required to be furnished or a document is required to be provided or produced under this Act or the regulations, no person furnishing such information or providing or producing such document shall furnish false information or provide or produce a false document.

Admissibility of  
copies

(10) Copies of, or extracts from, documents and things removed from premises under this Act and certified by the person who made the copies as being true copies of, or extracts from, the originals are admissible in evidence to the same extent as, the documents or things of which they are copies or extracts.

(11) No document or thing or copy thereof or extract therefrom in the possession of an inspector shall be introduced in evidence in any proceeding under this Act unless the owner of the document or thing is first given notice of the intent to introduce it into evidence.

Penalty

5(1) Every person who contravenes any provision of this Act or the regulations, every director or officer of the body corporate who authorizes, permits or acquiesces in the contravention is a party to and guilty of an offence and on conviction is liable to the penalty provided for the offence whether or not the body corporate has been prosecuted or convicted.

Regulations

6(1) The Lieutenant Governor in Council may make regulations,

- (a) prescribing appliances and products to which this Act applies in addition to those appliances and products set out in section 2;
  - (b) respecting any matter referred to as prescribed by the regulations;
  - (c) regulating the installation, testing, maintenance and repair of appliances and products to which this Act applies;
  - (d) designating persons or organizations to test appliances and products to which this Act applies to the prescribed standards;
  - (e) providing for the form, manner and placing of a prescribed label on appliances and products that conform to the prescribed standards;
  - (f) prescribing the contents of labels that may be placed on appliances and products to which this Act applies;
  - (g) prescribing fees and charges to be paid to designated persons or organizations for the testing or labeling of appliances and products and prescribing by whom the fees shall be paid;
  - (h) prescribing forms and providing for their use;
  - (i) providing for information to be reported by persons who manufacture, offer for sale, sell or lease appliances or products to which this Act applies including the frequency, time and manner for reporting;
  - (j) governing the keeping of information, records and documents by persons who manufacture, offer for sale, sell or lease appliances or products to which this Act applies;
  - (k) exempting any person, appliance or product from any provision of this Act or the regulations.
- (2) A regulation may be general or specific in its application.
- (3) A regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code or standard and may require compliance with any code or standard adopted.

- Codes**            **7** This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.
- Short title**        **8** The short title of this Act is the Energy Efficiency Act, 1992.