

1995 BILL 42

Third Session, 23rd Legislature, 44 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 42

MISCELLANEOUS STATUTES AMENDMENT ACT, 1995

THE MINISTER OF JUSTICE AND ATTORNEY GENERAL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 42

1995

MISCELLANEOUS STATUTES AMENDMENT ACT, 1995

(Assented to _____, 1995)

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

Apprenticeship and Industry Training Act

Amends
SA 1991
cA-42.3

*1(1) The Apprenticeship and Industry Training Act is amended by
this section.*

(2) Section 5 is repealed and the following is substituted:

Term of office

5(1) The term of an appointment as a member of the Board is not to exceed 3 years and, subject to subsection (2), a person may not hold office as a member of the Board for a continuous period exceeding 6 years.

(2) On ceasing to hold office under section 2(2)(b) to (e), a person may hold office under section 2(2)(a) for a continuous period not exceeding 6 years.

(3) Subject to subsection (2), a person who has held office for the maximum continuous period allowed by subsection (1) or (2) may not hold office as a member of the Board in the following 3-year period.

(4) The term of an appointment as a member of the Board continues, if applicable, after the end of the term for which the appointment was actually made, regardless of the 6-year limitation under subsection (1) or (2), until the earliest of

- (a) the effective date of the appointment or reappointment replacing that appointment,
- (b) any other event that terminates the appointment, and

Explanatory Notes

Apprenticeship and Industry Training Act

1(1) Amends chapter A-42.3 of the Statutes of Alberta, 1991.

(2) Section 5 presently reads:

5(1) A person appointed as a member of the Board holds office for a term not exceeding 3 years as prescribed in the appointment.

(2) A person who is a member of the Board is eligible to be appointed to serve for one further term of office as a member of the Board but not for a further term of office in that position until 3 years has elapsed from the day that the person's last term of office in that position terminated.

(c) 3 months after the actual term of the appointment ended.

(3) *Section 7 is amended*

(a) *in subsection (1)*

(i) *in clauses (a) and (b) by striking out “one person” and substituting “2 persons”;*

(ii) *by repealing clauses (c) and (d);*

(b) *in subsection (3) by striking out “subsection (1)” and substituting “subsections (1) and (5)”.*

(4) *Section 9(4) is repealed and the following is substituted:*

(4) Notwithstanding subsection (3), the presiding officer may vote only in the event of a tie vote.

(5) *Section 10(1) is amended by repealing clauses (d) and (e).*

(3) Section 7 presently reads in part:

7(1) Where the Board is of the opinion that there is sufficient activity in a designated trade within an area of Alberta to warrant the establishment of a local apprenticeship committee for that area, the Board shall establish a local apprenticeship committee for that area and appoint to that local apprenticeship committee the following:

- (a) at least one person to represent the interests of employers of persons employed in the designated trade;*
- (b) at least one person to represent the interests of persons who are employees employed in the designated trade;*
- (c) one person to be an alternate for one or more persons appointed under clause (a);*
- (d) one person to be an alternate for one or more persons appointed under clause (b).*

(3) The persons appointed under subsection (1) must, in the opinion of the Board, be persons

- (a) who are associated with and are knowledgeable in respect of the designated trade, and*
- (b) who*
 - (i) carry on work in or engage the services of persons who carry on work in the designated trade, or*
 - (ii) are engaged by an organization to represent persons who carry on work in the designated trade,**in the area for which the local apprenticeship committee is established.*

(4) Section 9(4) presently reads:

(4) Notwithstanding subsection (3),

- (a) the presiding officer may vote only in the event of a tie vote, and*
- (b) a person appointed as an alternate under section 7 may vote only when that person is acting in the place of a member who is not an alternate.*

(5) Section 10(1) presently reads:

(6) *Section 12(4) is repealed and the following is substituted:*

(4) Notwithstanding subsection (3), the presiding officer may vote only in the event of a tie vote.

(7) *Section 54 is amended by adding the following after subsection (5):*

(6) A prosecution for an offence against this Act may not be commenced more than 3 years after the alleged commission of the offence.

Assured Income for the Severely Handicapped Act

Amends RSA
1980 cA-48

2 *The Assured Income for the Severely Handicapped Act is amended in section 3(1) by adding “or any employee of an Indian or Metis organization” after “Department”.*

Auditor General Act

Amends RSA
1980 cA-49

3 *The Auditor General Act is amended in section 18(2)(a) by striking out “and as to whether they are on a basis consistent with that of the preceding fiscal year.”.*

10(1) The Board shall, for each designated trade, establish a provincial apprenticeship committee and appoint to that committee the following:

- (a) a presiding officer;*
- (b) persons to represent the interests of employers of persons employed in the designated trade;*
- (c) persons to represent the interests of persons who are employees employed in the designated trade;*
- (d) one person to be an alternate for one or more persons appointed under clause (b);*
- (e) one person to be an alternate for one or more persons appointed under clause (c).*

(6) Section 12(4) presently reads:

(4) Notwithstanding subsection (3),

- (a) the presiding officer may vote only in the event of a tie vote, and*
- (b) a person appointed as an alternate under section 10 may vote only when that person is acting in the place of a member who is not an alternate.*

(7) Limitation period for prosecution.

Assured Income for the Severely Handicapped Act

2 Amends chapter A-48 of the Revised Statutes of Alberta 1980. Section 3(1) presently reads:

3(1) The Director may authorize an employee of the Department to exercise any of the powers, duties and functions conferred or imposed on the Director by or under this Act.

Auditor General Act

3 Amends chapter A-49 of the Revised Statutes of Alberta 1980. Section 18(2) presently reads:

(2) A report of the Auditor General under subsection (1) shall

- (a) include a statement as to whether, in his opinion, the financial statements present fairly the financial position, results of operations and changes in financial position of the Crown in accordance with the disclosed accounting*

Chartered Accountants Act

Amends SA
1987 cC-5.1

- 4 *The Chartered Accountants Act is amended in section 103(1)*
- (a) *in clause (k) by striking out “prescribing” and substituting “respecting”;*
 - (b) *by adding the following after clause (m):*
 - (n) *respecting the requirements that must be met by a chartered accountant or professional corporation engaged in the practice of public accounting or in exclusive accounting practice.*

Child Welfare Act

Amends SA
1984 cC-8.1

- 5 *The Child Welfare Act is amended in section 59*
- (a) *in subsection (1)(c) by adding “or an affidavit indicating the reasons why the petitioner is requesting that the Court dispense with one or more of the consents” after “over”;*
 - (b) *in subsection (2)(c) by adding “or an affidavit indicating the reasons why the petitioner is requesting that the Court dispense with one or more of the consents” after “over”;*
 - (c) *in subsection (3)(b) by adding “or an affidavit indicating the reasons why the petitioner is requesting that the Court dispense with one or more of the consents” after “over”.*

principles, and as to whether they are on a basis consistent with that of the preceding fiscal year,

(b) when the report contains a reservation of opinion by the Auditor General, state his reasons for that reservation and indicate the effect of any deficiency on the financial statements, and

(c) include any other comments related to his audit of the financial statements that he considers appropriate.

Chartered Accountants Act

4 Amends chapter C-5.1 of the Statutes of Alberta, 1987. Section 103(1)(k) presently reads:

103(1) The Council may make regulations

(k) prescribing restrictions, conditions or limitations on the practice of chartered accountants, professional corporations or students;

Child Welfare Act

5 Amends chapter C-8.1 of the Statutes of Alberta, 1984. Section 59(1)(c), (2)(c) and (3)(b) presently read:

59(1) A petition for an adoption order in respect of a child who is the subject of a permanent guardianship agreement or order or a child who is placed directly in the custody of the petitioner by a parent shall be filed with the Court by a director and must be accompanied by the following documentation:

(c) the consent in the prescribed form of the guardian of the child and of the child if the child is 12 years of age or over;

(2) A petition for an adoption order in respect of a child who is placed in the custody of the petitioner by a licensed adoption agency may be filed with the Court by an officer of the licensed adoption agency and must be accompanied by the following documentation:

(c) the consent in the prescribed form of the guardian of the child and of the child if the child is 12 years of age or over;

(3) A petition for an adoption order in respect of a child of the spouse of a petitioner shall be filed with the Court and must be accompanied by the following documentation:

(b) the consent in the prescribed form of the guardian of the child and of the child if the child is 12 years of age or over.

Civil Enforcement Act

Amends SA
1994 cC-10.5

6(1) The Civil Enforcement Act is amended by this section.

(2) Section 1(1) is amended

(a) by repealing clauses (s) and (t) and substituting the following:

(s) “exempt” means, with respect to property,

(i) exempt from writ proceedings in accordance with Part 10, or

(ii) exempt from distress proceedings in accordance with sections 104(d) and 105(1)(b);

(t) “exigible” means, with respect to property, not exempt from writ proceedings or distress proceedings;

(b) in clause (ss) by adding “and includes any writ issued by the Court of Appeal or the Supreme Court of Canada that is similar in nature to a writ of enforcement” after “enforcement”.

(3) Section 4(b) is amended by adding “or the Provincial Court” after “Court”.

(4) Section 16(a) is amended by striking out “will result” and substituting “may result”.

(5) Section 27(2)(b) is amended by striking out “is entered with the clerk” and substituting “takes effect”.

Civil Enforcement Act

6(1) Amends chapter C-10.5 of the Statutes of Alberta, 1994.

(2) Section 1(1)(s), (t) and (ss) presently read:

1(1) In this Act,

(s) "exempt" means not subject to writ proceedings or, in the case of distress proceedings, not subject to distress proceedings;

(t) "exigible" means subject to writ proceedings;

(ss) "writ" means a writ of enforcement;

(3) Section 4 presently reads:

4 A person who has suffered loss or damage as a result of another person's failure to comply with this Act

(a) has a cause of action against that other person with respect to that failure, and

(b) is entitled, if the Court finds that the person has suffered loss or damage, to a judgment for the damages suffered or \$200, whichever is greater.

(4) Section 16(a) presently reads:

16 In this Part,

(a) "claim" means a claim that will result in a money judgment being granted if the claim is established;

(5) Section 27 presently reads:

27(1) A writ is in force only while the judgment in respect of which the writ is issued is in force.

(2) For the purposes of subsection (1), a judgment is not in force

(6) *Section 35 is amended by adding the following after subsection (3):*

(4) Where

(a) the registration of a writ

(i) lapses as a result of a failure to renew the registration of the writ, or

(ii) has been discharged in error or without authorization,

and

(b) the writ is re-registered not later than 30 days after the lapse or discharge,

the lapse or discharge of the writ does not affect the priority status of the writ in relation to a competing perfected security interest that immediately prior to the lapse or discharge of the writ had a subordinate priority position, except to the extent that the competing security interest secures advances made or contracted for after the lapse or discharge and prior to the re-registration of the writ.

(7) *Section 48 is amended*

(a) in clause (a) by striking out “clause (h)” and substituting “clauses (h) and (h.1)”;

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

(h.1) notwithstanding clauses (a) and (e), the agency may at any time without an order of the Court effect an expeditious sale of

(i) an instrument or a market security, or

(ii) property that is perishable or is rapidly declining in value,

and the proceeds arising from that sale

(iii) stand in the place of the instrument, market security or property that was sold, and

- (a) *if it has been satisfied, or*
- (b) *on the expiration of 10 years from the day that the judgment is entered with the clerk unless the judgment is renewed or an action is brought on that judgment within the 10-year period.*

(6) Section 35 presently reads:

35(1) Except as otherwise provided for in this Division, a security interest in personal property that is not registered or perfected at the time that the property becomes bound by a writ is subordinate to the writ.

(2) Subject to section 35(5) of the Personal Property Security Act, a security interest in personal property has priority over a writ if the security interest was registered or perfected before the property became bound by the writ.

(3) A purchase money security interest in personal property has priority over a writ that bound the personal property before the purchase money security interest was registered or perfected if the security interest was registered or perfected not later than 15 days from the day that

- (a) the debtor, or another person at the request of the debtor, obtained possession of the collateral, or*
- (b) the security interest attached, in the case of personal property other than goods, chattel paper, a security certificate, a document of title, an instrument or money.*

(7) Section 48 presently reads:

48 For the purposes of selling seized personal property the following applies:

- (a) subject to clause (h), property must not be sold until the period of time for serving on the agency a notice of objection with respect to the seizure of the property has expired;*
- (b) subject to clause (a), an agency must sell the property as soon after being instructed to do so as is practicable;*
- (c) the agency may delay the sale if it is commercially reasonable to do so;*
- (d) subject to this Part, the agency may without an order of the Court sell the property by any commercially reasonable method;*
- (e) the agency must, at least 15 days before the day on which the sale is to take place, give notice to the instructing creditor and the enforcement debtor of the method of sale being used;*

(iv) must not be distributed until the period for the enforcement debtor to serve a notice of objection under section 46 has expired;

(8) *Section 75(2) is amended by adding “referred to in subsection (1)(d) or” after “Court order”.*

(f) the agency may sell the property to an enforcement creditor by private sale if

(i) at least 15 days before the day of the sale, the agency gives notice of the terms of the sale to

(A) the enforcement debtor, and

(B) all of the other enforcement creditors having related writs at the time that the notice is given.

and

(ii) within the 15-day period neither the enforcement debtor nor any of the enforcement creditors having related writs serves on the agency a notice of objection to the sale;

(g) if an objection to a private sale is served on the agency in accordance with clause (f)(ii), the matter shall be dealt with in the same manner as a notice of objection is dealt with under section 46;

(h) on application the Court may by order permit the agency to effect an expeditious sale or disposal of property where the Court is of the opinion that in the circumstances it is appropriate to sell or dispose of the property in an expeditious manner;

(i) subject to section 34(2), when property is sold,

(i) the person who buys the property obtains only the interest of the enforcement debtor in the property, and

(ii) the sale of the property does not adversely affect the rights or interest of any other person in the property.

(8) Section 75 presently reads:

75(1) On presentation to the Registrar of Land Titles of

(a) a transfer of land that is executed by the agency, and

(b) a certificate certifying that the agency has complied with the requirements of this Part and that

(i) a notice of objection to the sale was not served on the agency within the period of time prescribed under section 74, or

(ii) a notice of objection to the sale was served on the agency within the period of time prescribed under section 74 and that the Court has authorized the sale of the land,

the Registrar shall, subject to subsection (2), transfer the enforcement debtor's interest in the land to the transferee

(9) Section 78 is amended

(a) in clause (j) by striking out “by the clerk” and substituting “in a court”;

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

(k) money that is attached by a garnishee summons must, subject to this Act, be paid into Court by the garnishee.

(10) Section 85 is amended by renumbering it as section 85(1) and by adding the following after subsection (1):

(2) Where the Court appoints a receiver under subsection (1), the Court may in the order direct that the order apply to property acquired by the enforcement debtor after the order is granted.

(c) free of all writs that were registered against the enforcement debtor's interest in the land, but

(d) unless otherwise ordered by the Court, subject to any other encumbrances or interests that were registered against the enforcement debtor's interest in the land.

(2) Where an interest in land is sold pursuant to a Court order made under section 74(3)(b) or (4)(c), the Registrar shall not transfer the interest until the Registrar has been satisfied by the agency

(a) that all persons who have a right to appeal that order have given written undertakings not to appeal the order or, if the order has been appealed, not to take a further appeal, or

(b) in the case of the appropriate undertakings not being given under clause (a),

(i) that the order is no longer subject to an appeal, or

(ii) if the order has been appealed, that the appeal has been concluded and the order is no longer subject to a further appeal.

(9) Section 78(j) presently reads:

78 For the purpose of enforcing a writ by means of garnishment, the following applies:

(j) money held by the clerk is not subject to garnishment.

(10) Section 85 presently reads:

85 Notwithstanding any rule of law or equity to the contrary, where certain exigible property of an enforcement debtor cannot otherwise be conveniently realized, the Court on the application of an enforcement creditor may do one or more of the following:

(a) appoint a receiver of the property;

(b) order the enforcement debtor or any person in possession or control of the property to deliver the property to an agency or to another person named in the order;

(c) enjoin the enforcement debtor or any other person from disposing of or otherwise dealing with the property;

(d) make any other or additional order that the Court considers necessary or appropriate to facilitate realization of the property.

(11) Section 87(a)(i) is amended by striking out “satisfied” and substituting “has satisfied”.

(12) Section 99(3) is amended

- (a) by striking out “of claims exceeds” and substituting “of the eligible claims exceeds”;*
- (b) in clause (b) by adding “that may be claimed against the enforcement debtor that were” after “distributing authority”;*
- (c) in clause (c) by adding “that may be claimed against the enforcement debtor that were” after “to other costs”.*

(13) Section 103(1) is amended by striking out “section 99(3)(c)” and substituting “section 99(3)(d)”.

(14) Section 104 is amended by repealing clause (d) and substituting the following:

- (d) except in the case where a tenant has absconded or is about to abscond from Alberta without leaving in Alberta*
 - (i) a spouse, or*
 - (ii) any children under the age of majority,*

(11) Section 87 presently reads:

87 With respect to receivers, the following applies:

- (a) a person may not be appointed as a receiver unless that person*
 - (i) satisfied the qualifications, if any, set out in the regulations, and*
 - (ii) has agreed in writing to act as a receiver in respect of the matter for which the appointment is to be made;*
- (b) the Court may give a receiver those powers that the Court considers necessary or appropriate for the realization of the property, including, without limiting the generality of the foregoing, the power to manage or sell the property or bring any proceedings in relation to the property;*
- (c) unless otherwise ordered by the Court, a receiver may take into the receiver's custody and control the property over which the receiver is being appointed.*

(12) Section 99(3)(b) and (c) presently read:

- (3) Where the total amount of claims exceeds the amount of a distributable fund, the distributing authority must apply the distributable fund towards the claims in the following order of priority:*
 - (b) second, to other fees and expenses of a distributing authority earned or incurred in connection with the enforcement measures that have produced the fund;*
 - (c) third, to other costs incurred by the instructing creditor in connection with the enforcement measures that have produced the fund and any other costs that the Court has directed to be paid out of the fund;*

(13) Corrects a cross-reference.

(14) Section 104(d) presently reads:

104 In carrying out a distress by a landlord for rent the following applies:

- (d) property set out in section 88(a), (b), (c), (e), (h) and (i) is exempt unless the tenant has absconded or is about to abscond from Alberta without leaving*
 - (i) any spouse in Alberta, or*

the property set out in section 88(a), (b), (c), (e), (h) and (i) is, to a value not exceeding an amount prescribed by the regulations, exempt, and sections 89 to 92 apply in the same manner as if the tenant or the person who is liable for the rent were an enforcement debtor and the distress proceedings were writ proceedings.

(15) *Section 105(1)(b) is amended by adding “in the same manner as if the mortgagor or the mortgagor’s assigns were a tenant” after “section 104(d)”.*

(16) *Section 106(1) is amended*

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

(n.1) subject to Part 7, governing procedures respecting enforcement against land;

(b) in clause (o)(iii) and (iv) by adding “26 and” after “sections”;

(c) in clause (p)(ii) by adding “the suspensions and” after “the appointments and”.

(17) *Section 107(1)(e) is amended*

(a) by adding the following after subclause (iii):

(iii.1) the payment of money into Court by a garnishee;

(b) by repealing subclause (xii) and substituting the following:

(xii) the renewal of garnishee summonses;

(18) *Section 109(5) is amended*

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

(ii) *any children under the age of majority in Alberta.*

(15) Section 105(1) presently reads:

105(1) Notwithstanding any mortgage or any agreement relating to a mortgage, any distress carried out pursuant to the right of a mortgagee of land or the mortgagee's assigns to distrain for interest in arrears or principal due on a mortgage

(a) is limited to the personal property of the mortgagor or the mortgagor's assigns, and

(b) is subject to the exemptions allowed for personal property pursuant to section 104(d).

(16) Section 106(1)(o)(iii) and (iv) and (p)(ii) presently read:

106(1) The Lieutenant Governor in Council may make regulations

(o) with respect to land that is not registered under the Land Titles Act,

(iii) modifying the operation of sections 68 to 76;

(iv) providing other provisions to operate in place of sections 68 to 76;

(p) subject to the provisions of this Act respecting agencies, bailiffs and receivers, governing

(ii) the appointments and revocations of appointments of bailiffs and receivers;

(17) Section 107(1)(e)(xii) presently reads:

107(1) The Lieutenant Governor in Council may by regulation make rules

(e) subject to any provision of this Act respecting garnishment, governing

(xii) the issuance and use of replacement garnishee summonses;

(18) Section 109(5) presently reads:

(5) The Lieutenant Governor in Council may make regulations.

(c) notwithstanding the provisions of any enactment, in the case of writs of execution that have been issued prior to and that are in force on the coming into force of this Act, providing for the validity, priority and enforcement of those writs during and after the transitional period;

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

(e) generally for the purposes of

(i) providing for the enforcement of previous judgments and the carrying out of previous seizures and previous evictions under this Act, and

(ii) providing transitional provisions not otherwise provided for in this Act for the carrying out of matters under this Act during the transitional period that were carried out under the previous Acts before the coming into force of this Act.

(19) Section 148 is amended

(a) in subsection (5) with respect to section 35(5)(b) of the Personal Property Security Act by striking out “clause (b)” and substituting “clause (a)”;

(b) in subsection (8) by adding the following after clause (g):

(g.1) in subsection (14) by striking out “referred to in subsection (2)”;

(20) Section 166 is amended by striking out the following:

Constitution of Alberta Amendment Act, 1990, section 4;

Coal Mines Safety Act

Amends RSA
1980 cC-15

7 The Coal Mines Safety Act is amended in the heading to Part 3 by striking out “POWERS AND DUTIES OF THE BOARD” and substituting “POWERS AND DUTIES OF THE MINISTER”.

- (a) *prescribing the date of the commencement of the transitional period;*
- (b) *establishing, notwithstanding the provision of any enactment, a process, arrangement or system under which writs may be registered or filed with the Court, an officer of the Court or the Personal Property Registry or under the Land Titles Act during the transitional period;*
- (c) *providing, notwithstanding the provision of any enactment, for the validity of and the enforcement of a writ during and after the transitional period;*
- (d) *governing*
 - (i) *the handling and disposition of property that was seized or otherwise in the custody or under the control or supervision of the sheriff immediately after the coming into force of this Act, and*
 - (ii) *the disposition of any funds received in respect of that property;*
- (e) *generally for the purposes of providing for the enforcement of previous judgments and the carrying out of previous seizures and evictions under this Act.*

(19) Corrects cross-references.

(20) Section 166 presently reads:

166 The following provisions in the following enactments are amended by striking out "writ of execution" wherever it occurs and substituting "writ of enforcement":

*Constitution of Alberta Amendment Act, 1990, section 4;
 Law of Property Act, section 49(3);
 Metis Settlements Act, section 101;
 Partnership Act, section 25;
 Petroleum Incentives Program Act, section 16(3);
 School Act, section 238.*

Coal Mines Safety Act

7 Amends chapter C-15 of the Revised Statutes of Alberta 1980. The Part 3 heading presently reads:

Companies Act

Amends RSA
1980 cC-20

8(1) The Companies Act is amended by this section.

(2) Section 2(5) is amended by striking out “or (5)”.

(3) Section 133(2) is amended by striking out “applied on a basis consistent with that of the preceding period”.

Corrections Act

Amends RSA
1980 cC-26

9 The Corrections Act is amended by renumbering section 20 as section 20(1).

Domestic Relations Act

Amends RSA
1980 cD-37

10 The Domestic Relations Act is amended by adding the following before section 26:

Definition

25.1 In this Part, “child” means a child who

(a) is under the age of 16 years, or

(b) is 16 years of age or over but unable, by reason of illness, disability or other cause, to withdraw from the charge of his parents or to obtain the necessities of life.

PART 3

POWERS AND DUTIES OF THE BOARD

Orders, Directions and Regulations

Companies Act

8(1) Amends chapter C-20 of the Revised Statutes of Alberta 1980.

(2) Section 2(5) presently reads:

(5) If a company formed under section 15(4) or (5) or its shareholders or directors are empowered or required by this or any other Act to pass a resolution, the resolution is deemed to be passed if it is signed by the sole shareholder of the company, and any requirement to hold a meeting does not apply.

(3) Section 133(2) presently reads:

(2) The auditor shall make a report to the shareholders on the financial statement to be laid before the company at any annual meeting during his term of office and shall state in his report whether in his opinion the financial statement referred to therein presents fairly the financial position of the company and the results of its operations for the period under review in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding period.

Corrections Act

9 Amends chapter C-26 of the Revised Statutes of Alberta 1980.

Domestic Relations Act

10 Amends chapter D-37 of the Revised Statutes of Alberta 1980.

Environmental Protection and Enhancement Act

Amends SA
1992 cE-13.3

11(1) The Environmental Protection and Enhancement Act is amended by this section.

(2) Section 106 is repealed and the following is substituted:

Ministerial
regulations

106 The Minister may make regulations

- (a) classifying releases for the purposes of this Division and exempting any release or any class of release from the application of this Division, and attaching terms and conditions to any such exemption;
- (b) respecting the making of a written report under section 100(2) and its contents and providing for the waiver of a requirement to make a written report where in the opinion of the Director no adverse effect is likely to occur as a result of the release or the adverse effect caused by the release has been adequately controlled.

Environmental Protection and Enhancement Act

11(1) Amends chapter E-13.3 of the Statutes of Alberta, 1992.

(2) Section 106 presently reads:

106(1) The Minister may make regulations

- (a) classifying releases for the purposes of this Division and exempting any release or any class of release from the application of this Division, and attaching terms and conditions to any such exemption;*
- (b) respecting the making of a written report under section 100(2) and its contents and providing for the waiver of a requirement to make a written report where in the opinion of the Director no adverse effect is likely to occur as a result of the release or the adverse effect caused by the release has been adequately controlled;*
- (c) prescribing the concentration, including the maximum concentration, of a substance that may be released into the environment;*
- (d) prescribing the amount, including the maximum amount, of a substance that may be released into the environment;*
- (e) prescribing the level, including the maximum level, of a substance that may be released into the environment;*
- (f) prescribing the rate, including the maximum rate, at which a substance may be released into the environment;*
- (g) respecting the method or type of method or instrument for measuring or determining
 - (i) the concentration of a substance released into the environment,*
 - (ii) the weight of a substance released into the environment,*
 - (iii) the rate of release of a substance into the environment, and*
 - (iv) visible emissions;**
- (h) prescribing the point at which a measurement pursuant to the regulations is to take place;*
- (i) prescribing the maximum visible emissions permitted to be released;*

(3) Section 107 is amended

(a) by renumbering it as section 107(1);

(b) in subsection (1) by adding the following after clause (d):

- (d.1) prescribing the concentration, including the maximum concentration, of a substance that may be released into the environment;*
- (d.2) prescribing the amount, including the maximum amount, of a substance that may be released into the environment;*
- (d.3) prescribing the level, including the maximum level, of a substance that may be released into the environment;*
- (d.4) prescribing the rate, including the maximum rate, at which a substance may be released into the environment;*
- (d.5) respecting the method or type of method or instrument for measuring or determining
 - (i) the concentration of a substance released into the environment,*
 - (ii) the weight of a substance released into the environment,*
 - (iii) the rate of release of a substance into the environment, and*
 - (iv) visible emissions;**
- (d.6) prescribing the point at which a measurement pursuant to the regulations is to take place;*

(j) *establishing a program for the certification of visible emission readers, including regulations respecting*

(i) the manner in which visible emission readers are taught and certified,

(ii) the issuing, suspension and cancellation of certificates of qualification, and

(iii) the regulation of the activities of visible emission readers.

(2) *Before making regulations under subsection (1)(c), (d), (e), (f) or (i) the Minister shall engage in such public consultation with respect to the proposed regulations as the Minister considers appropriate.*

(3) Section 107 presently reads:

107 The Lieutenant Governor in Council may make regulations

(a) regulating and prohibiting the removal or rendering ineffective of any device, procedure or thing that reduces or prevents or is intended to reduce or prevent the release of any substance and that is attached or connected to or forms part of any thing;

(b) respecting the measures including levels of remedial requirements that may be required in an environmental protection order for the purposes of section 102(3)(e) including the incorporation or adoption for that purpose of documents that set out restoration guidelines;

(c) regulating the quantity and purity of water to be applied to land for the purpose of irrigation or watering of plant life if the water so applied may directly or indirectly cause an adverse effect;

(d) regulating or prohibiting any use of land or any action in respect of land as a result of which any substance is released on or under any land, including land

(i) adjacent to or underlying a watercourse, or

(ii) adjacent to or overlying an aquifer;

(e) generally, for the protection of the environment and the regulation of sources of substances.

(d.7) prescribing the maximum visible emissions permitted to be released;

(d.8) establishing a program for the certification of visible emission readers, including regulations respecting

(i) the manner in which visible emission readers are taught and certified,

(ii) the issuing, suspension and cancellation of certificates of qualification, and

(iii) the regulation of the activities of visible emission readers;

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

(2) Before regulations are made under subsection (1)(d.1), (d.2), (d.3), (d.4) or (d.7) the Minister shall engage in such public consultation with respect to the proposed regulations as the Minister considers appropriate.

Gas Utilities Statutes Amendment Act, 1990

Amends SA
1990 c21

12 The Gas Utilities Statutes Amendment Act, 1990 is amended by repealing sections 1(2) and (4) and 2.

Gas Utilities Statutes Amendment Act, 1990

12 Amends chapter 21 of the Statutes of Alberta, 1990. Sections 1(2) and (4) and 2 presently read in part:

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

(g.1) "municipal gas franchise" means

(i) a contract entered into between a municipality and another person pursuant to section 279(1)(a) of the Municipal Government Act respecting the supply of gas by that person to residents of that municipality or part of that municipality, and

(ii) a special franchise conferred by the municipality pursuant to section 279(1)(b) of that Act on the other party to the contract referred to in subclause (i);

(4) Section 40 is amended

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

40(1) A municipal gas franchise is not valid unless it is approved by the Board.

(b) in subsection (2) by striking out "privilege or franchise" and substituting "municipal gas franchise".

2(1) The Municipal Government Act is amended by this section.

(2) The following is added before section 291:

290.1(1) In this section,

- (a) "consumer" means a consumer of gas who takes delivery of the gas at its place of consumption by means of an urban gas system;*
- (b) "direct seller" means a person who sells gas to a consumer, if the gas is delivered to its place of consumption by means of an urban gas system, but does not include the distributor that operates that urban gas system;*
- (c) "distributor" means*
 - (i) an urban municipality, or*
 - (ii) a rural gas co-operative association as defined in the Rural Gas Act,*
that operates an urban gas system;
- (d) "urban gas system" means a system for the distribution of gas to consumers within all or part of an urban municipality and operated by*
 - (i) the urban municipality, or*
 - (ii) a rural gas co-operative association, as defined in the Rural Gas Act, pursuant to a contract and special franchise under section 279;*
- (e) "urban municipality" means a city, town, village or summer village.*

(2) The Lieutenant Governor in Council may make regulations

- (a) establishing classes of consumers for the purposes of this section;*
- (b) respecting, in relation to any class of consumers, the requirements to be met before and during the term of a contract under which a consumer within that class obtains a supply of gas from a direct seller;*
- (c) respecting the rights and obligations of*
 - (i) a distributor in relation to its consumers or to members of any class of its consumers or in relation to a direct seller,*
 - (ii) a direct seller in relation to a distributor or in relation to consumers to whom the direct seller sells gas, or*

Interpretation Act

Amends RSA
1980 cl-7

13 The Interpretation Act is amended in section 25(2) by adding the following after clause (c):

(c.1) “must” is to be construed as imperative;

(iii) consumers or members of any class of consumers in relation to their distributor or in relation to direct sellers from whom they purchase gas,

with respect to any matters provided for in the regulations.

(3) Subject to the regulations, a consumer has the right to obtain a supply of gas from a direct seller for delivery to the consumer by means of an urban gas system, subject to the rates, charges or tolls and on the terms and conditions established by the distributor with respect to the transportation of the gas.

(4) The Public Utilities Board, on the application of a consumer or direct seller aggrieved by an unreasonable refusal of the distributor to provide service for the transportation of gas to the consumer by means of the distributor's urban gas system or by any unreasonable term or condition under which the transportation service is or is sought to be provided by the distributor, may make an order

(a) directing the distributor to provide the transportation service in accordance with the provisions of the order,

(b) amending, replacing or voiding the term or condition, or

(c) settling the term or condition,

as the case requires.

(5) Section 279(1) does not apply to the sale of gas by a direct seller to a consumer.

(3) Section 291 is amended by adding “, rate or toll” after “charge” wherever it occurs.

Interpretation Act

13 Amends chapter I-7 of the Revised Statutes of Alberta 1980. Section 25(2) presently reads:

(2) In an enactment,

(a) “hereafter” shall be construed as referring to the time after the commencement of the enactment containing that word;

(b) “herein” used in a section or part of an enactment shall be construed as referring to the whole enactment and not to that section or part only;

(c) “may” shall be construed as permissive and empowering;

Irrigation Act

Amends RSA
1980 c1-11

14(1) The Irrigation Act is amended by this section.

(2) Section 43 is repealed and the following is substituted:

Appointment
of auditor

43(1) Each board must appoint an auditor to audit the board's annual financial statements.

(2) The auditor must be a chartered accountant, a certified general accountant or a certified management accountant.

(3) A board may not appoint a member of the board or an employee of the board to be the auditor.

Auditor's
report

43.1(1) An audit of the annual financial statements must be in accordance with the form and the reporting standards recommended from time to time by the Canadian Institute of Chartered Accountants.

(2) The auditor conducting an audit must report separately to the board any improper or unauthorized transaction or non-compliance with this or another enactment or a by-law that is noted during the course of an audit and must send a copy to the Minister and the Irrigation Council.

(3) Each board must submit a copy of its financial statements and a copy of the report of the audit to the Minister and to the Irrigation Council within 4 months after the close of the board's fiscal year.

Auditor
appointed by
Minister

43.2(1) The Minister may appoint one or more auditors to audit the books and records of a board if the Minister considers the audit to be needed or

(a) on the request of the board,

(b) on the request of not fewer than $\frac{1}{3}$ of the members of the board, or

(c) on receiving a sufficient petition from the water users of the district requesting the appointment of an auditor.

(2) The board is liable to the Minister for the costs of the audit as determined by the Minister.

(3) The auditor must submit the auditor's report to the Minister, to the Irrigation Council and to the board.

(d) *"now" and "next" shall be construed as referring to the time of commencement of the enactment containing the word;*

(e) *"shall" is to be construed as imperative.*

Irrigation Act

14(1) Amends chapter I-11 of the Revised Statutes of Alberta 1980.

(2) Section 43 presently reads:

43(1) The books and records of the board are at all times subject to examination and audit by the Auditor General and by any other persons the Lieutenant Governor in Council may authorize in that behalf.

(2) The Auditor General is the auditor of a board.

Access to
information by
auditors

43.3(1) An auditor referred to in sections 43 and 43.2 is entitled to access to the records of the board at all reasonable times and for any purpose related to an audit.

(2) A member of the board, the manager and an employee or agent of, or a consultant to, the board must give the auditor any information, reports or explanations the auditor considers necessary.

(3) An auditor who receives information from a person whose right to disclose that information is restricted by law holds that information under the same restrictions respecting disclosure that govern the person from whom the information was obtained.

(3) The heading preceding section 129 is amended by striking out “Alberta Assessment Appeal Board” and substituting “Irrigation Council”.

Parentage and Maintenance Act

Amends SA
1990 cP-0.7

15 The Parentage and Maintenance Act is amended in section 3(2) by adding “or any employee of an Indian or Metis organization” after “Department”.

Pharmaceutical Profession Act

Amends SA
1988 cP-7.1

16 The Pharmaceutical Profession Act is amended in section 23(2)(a), (b) and (c) by striking out “long-term” and substituting “, long-term”.

(3) The heading preceding section 129 presently reads:

Appeals to Alberta Assessment Appeal Board

Parentage and Maintenance Act

15 Amends chapter P-0.7 of the Statutes of Alberta, 1990. Section 3(2) presently reads:

(2) The Director may in writing delegate to an employee of the Department any power or duty conferred or imposed on him by this Act or the regulations.

Pharmaceutical Profession Act

16 Amends chapter P-7.1 of the Statutes of Alberta, 1988. Section 23(2) presently reads:

(2) A publicly funded pharmacy shall dispense drugs only to

(a) patients of the hospital, health unit, health region under the Regional Health Authorities Act long-term care institution, correctional institution or other health or social care institution or facility in which the pharmacy is located,

(b) patients of a facility that is affiliated with the hospital, health unit, health region under the Regional Health Authorities Act long-term care institution, correctional institution or other health or social care institution or facility in which the pharmacy is located, or

(c) patients of an institution or facility that has entered into an agreement with the hospital, health unit, health region under the Regional Health Authorities Act long-term care institution, correctional institution or other health or

Police Act

Amends SA
1988 P-12.01

17(1) The Police Act is amended by this section.

(2) Section 1(j) is amended by striking out “or” at the end of subclause (i) and by adding the following after subclause (i):

(i.1) is a member of the Royal Canadian Mounted Police who is engaged in providing policing services to a municipality under an agreement entered into under section 22(3)(a), or

(3) Section 49 is repealed and the following is substituted:

Complaints re
RCMP

49 Notwithstanding sections 43 to 48 and subject to any agreement entered into between the Government of Canada and the Government of Alberta or a municipality, as the case may be, any complaints in Alberta with respect to members of the Royal Canadian Mounted Police shall be resolved in accordance with the laws governing complaints and discipline within the Royal Canadian Mounted Police.

(4) Section 52 is amended by adding “and” at the end of clause (a) and by repealing clause (b).

social care institution or facility in which the pharmacy is located providing for the sharing of pharmacy facilities and services.

Police Act

17(1) Amends chapter P-12.01 of the Statutes of Alberta, 1988.

(2) Section 1(j) presently reads:

1 In this Act,

(j) "police officer" means an individual who

(i) is appointed under section 36 as a police officer or a chief of police, or

(ii) is a member of the provincial police service;

(3) Section 49 presently reads:

49 Notwithstanding sections 43 to 48, complaints in Alberta with respect to members of the Royal Canadian Mounted Police shall

(a) be in writing and signed by the complainant where practicable,

(b) be sent to the Commanding Officer responsible for the Royal Canadian Mounted Police in Alberta, and

(c) subject to any agreement entered into between the Government of Canada and the Government of Alberta or a municipality, as the case may be, be resolved in accordance with the laws governing discipline within the Royal Canadian Mounted Police.

(4) Section 52 presently reads:

52 If a complaint is made,

(a) the commission, in the case of a complaint referred to in section 44, 45 or 46,

(b) the Commanding Officer, in the case of a complaint referred to in section 49, and

(c) the employer, in the case of a complaint referred to in section 50(1)(a),

shall, at the end of the month in which the complaint is made or within a longer period of time as prescribed by the Chairman of the Board, advise the Chairman of the complaint and, after the disposition of the complaint, advise the Chairman as to how the complaint was disposed of.

Provincial Court Act

Amends RSA
1980 cP-20

18 The Provincial Court Act is amended by repealing section 32(5) and substituting the following:

(5) Pending the hearing of an application under this section, the Court may make an interim order regarding the custody of and right of access to the child.

Public Lands Act

Amends RSA
1980 cP-30

19(1) The Public Lands Act is amended by this section.

(2) *Section 7(e) is amended by adding “, whether the land is under the administration of the Minister or another Minister of the Crown,” after “land”.*

(3) The following is added after section 9:

Variation of
rentals under
right of entry
orders

9.1(1) Notwithstanding the *Surface Rights Act*, where a new right of entry order is granted under the *Surface Rights Act* with respect to public land, whether or not the land is occupied, the compensation payable to the Crown under the order is to be an amount equal to the current charges payable under this Act for a new mineral surface lease.

(2) Notwithstanding the *Surface Rights Act*, the Minister may, within 180 days after each 5th anniversary date of the order, vary the amount of the compensation payable to the Crown under a right of entry order as defined in the *Surface Rights Act* in respect of public land that is the subject of the order to an amount not exceeding the current rental payable under this Act for a mineral surface lease.

(3) Subsection (2) applies to right of entry orders granted before or after this section comes into force.

Queen’s Counsel Act

Amends RSA
1980 cQ-2

20 The Queen’s Counsel Act is amended in section 4(c) by striking out “the Minister of Justice and” and substituting “the”.

Provincial Court Act

18 Amends chapter P-20 of the Revised Statutes of Alberta 1980. Section 32(5) presently reads:

(5) Pending the hearing of an application under this section, the Court may issue an interim order setting out the right of access to the child and the terms of that access.

Public Lands Act

19(1) Amends chapter P-30 of the Revised Statutes of Alberta 1980.

(2) Section 7(e) presently reads:

7 The Lieutenant Governor in Council may

(e) transfer the administration and control of any public land to the Crown in right of Canada on the terms and conditions and for the reasons set out in the order;

(3) Variation of rentals under right of entry orders.

Queen's Counsel Act

20 Amends chapter Q-2 of the Revised Statutes of Alberta 1980. Section 4(c) presently reads:

4 The following members of the Bar of Alberta have precedence in the courts of Alberta in the following order:

Reciprocal Enforcement of Maintenance Orders Act

Amends RSA
1980 cR-7.1

21 *The Reciprocal Enforcement of Maintenance Orders Act is amended in section 7 by adding the following after subsection (6):*

(6.1) A court in Alberta may make a confirmation order for a variation or rescission of a registered order where

- (a) the respondent who initiated the application for variation or rescission is ordinarily resident in a reciprocating state,
- (b) the claimant is ordinarily resident in Alberta,
- (c) a certified copy of a provisional order of variation or rescission made by a court in a reciprocating state is received by the Alberta court through the Minister, and
- (d) the claimant is given notice of the proceeding and an opportunity to appear.

Regulations Act

Amends RSA
1980 cR-13

22 *The Regulations Act is amended by adding the following after section 9:*

Authority to
make
corrections,
etc.

10(1) The Lieutenant Governor in Council may, by regulation,

- (a) for the purpose of ensuring that references contained in the regulations filed under this Act are correct, amend the regulations to correct references to the name of a department, a minister, an official, an Act or a regulation of Alberta or of the Government of Canada;
- (b) repeal a regulation for which the statutory authority to make the regulation has been repealed, has expired or is spent;
- (c) correct typographical and grammatical errors;
- (d) repeal a regulation that is spent.

(2) An amendment or repeal under subsection (1) may be made even though the regulation being amended or repealed was made by a member of the Executive Council or some other body or person.

Surveys Act

Amends SA
1987 cS-29.1

23(1) The Surveys Act is amended by this section.

(2) Section 43 is amended

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

Registration of
non-
monumented
survey plan

43(1) Notwithstanding anything in this Act, a surveyor may, without placing the monuments required by section 41(1), submit a plan for registration at the Land Titles Office in the registration district in which the land is situated, if the survey meets the requirements established in the regulations.

(b) by repealing subsection (4).

(3) Section 47(k) is repealed.

Surveys Act

23(1) Amends chapter S-29.1 of the Statutes of Alberta, 1987.

(2) Section 43 presently reads:

43(1) Notwithstanding anything in this Act, a surveyor may, without placing the monuments required by section 41(1), submit a plan for registration at the Land Titles Office in the registration district in which the land is situated, if

(a) the survey meets the requirements established in the regulations, and

(b) the surveyor has deposited with the Director a bond or other surety in accordance with the regulations to ensure satisfactory completion of the requirements of subsection (3).

(2) Subject to subsection (5), the co-ordinates of the survey control markers and of the monuments, as shown on the plan of survey, determine the boundary lines established by the survey and plan.

(3) A surveyor who submits for registration a plan pursuant to subsection (1) shall, within 1 year from its registration or within a longer period of time specified by the Director,

(a) place the monuments required by section 41(1) in accordance with the survey control markers and the co-ordinates shown on the plan, and

(b) file with the Registrar for the land registration district in which the land is situated proof under oath, in the prescribed form, of having done so.

(4) The Director, on being satisfied that a surveyor has complied with subsection (3), shall return the bond or other surety deposited pursuant to subsection (1) to the surveyor.

(5) On registration of the form referred to in subsection (3)(b), the Registrar shall endorse a memorandum on the plan, and the monuments placed pursuant to subsection (3) determine the boundary lines as though they had been placed before the registration of the plan.

(6) Notwithstanding subsection (3), if the surveyor who submitted a plan pursuant to subsection (1) ceases to be registered as an Alberta Land Surveyor, or for any other reason fails to satisfy the requirements of subsection (3), some other surveyor appointed by the Director may carry out the requirements of subsection (3).

(3) Section 47(k) presently reads:

47 The Lieutenant Governor in Council may make regulations

Trust Companies Act

Amends RSA
1980 cT-9

24(1) The Trust Companies Act is amended by this section.

(2) Section 92(6)(g) is amended by striking out “applied on a basis consistent with that of the preceding fiscal year”.

(3) Section 170(3)(g) is amended by striking out “applied on a basis consistent with that of the preceding fiscal year”.

Veterinary Profession Act

Amends SA
1984 cV-3.1

25(1) The Veterinary Profession Act is amended by this section.

(2) Section 1 is amended

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

*(f) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;*

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

(j) “registered veterinarian” means a restricted veterinarian or an unrestricted veterinarian;

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

(l.1) “restricted veterinarian” means an individual who holds a certificate of registration to engage in the

- (k) *respecting the form, conditions, amount and term of a bond or other surety required under section 43;*

Trust Companies Act

24(1) Amends chapter T-9 of the Revised Statutes of Alberta 1980.

(2) Section 92(6)(g) presently reads:

(6) *The auditor's report to the shareholders shall show*

- (g) *that with their independent opinion so formed and according to the best of their information and the explanations given them, they certify that in their opinion the financial statement sets forth fairly the financial position of the company and the results of its operations in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding fiscal year, and*

(3) Section 170(3)(g) presently reads:

(3) *The statement to the Director shall be verified by the auditors of the company by an affidavit stating*

- (g) *that with their independent opinion so formed and according to the best of their information and the explanations given them, they certify that in their opinion the statement sets forth fairly the state of the affairs of the company and the results of its operations in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding fiscal year, and*

Veterinary Profession Act

25(1) Amends chapter V-3.1 of the Statutes of Alberta, 1984.

(2) Section 1(f) and (j) presently read:

1 *In this Act,*

- (f) *"Minister" means the Minister of Agriculture, Food and Rural Development;*
- (j) *"registered veterinarian" means an individual who holds a certificate of registration and an annual certificate to engage in the practice of veterinary medicine under this Act;*

practice of veterinary medicine under this Act and whose class or category of registration is designated by the regulations as restricted;

(d) *by adding the following after clause (m):*

(m.1) “unrestricted veterinarian” means an individual who holds a certificate of registration and an annual certificate to engage in the practice of veterinary medicine under this Act and whose class or category of registration is not designated by the regulations as restricted;

(3) *Section 2(2)(a) is amended by striking out “a registered” and substituting “an unrestricted”.*

(4) *Section 20 is amended*

(a) *by repealing subsection (2) and substituting the following:*

(2) The Registrar shall issue an annual certificate in accordance with the by-laws to a veterinarian

(a) whose class or category of registration is not designated by the regulations as restricted,

(b) whose registration is not under suspension, and

(c) who has paid the annual fee.

(b) *in subsection (3) by striking out “the registered” and substituting “an unrestricted”.*

Wildlife Act

Amends SA
1984 cW-9.1

26 *The Wildlife Act is amended in section 2(2) by adding “and” at the end of clause (b), by striking out “and” at the end of clause (c) and by repealing clause (d).*

(3) Section 2(2)(a) presently reads:

(2) Subsection (1) does not apply to the following:

(a) a technologist practising under the direction or control of a registered veterinarian and in accordance with the regulations;

(4) Section 20 presently reads in part:

20(1) On entering the name of a registered veterinarian in the register, the Registrar shall issue to him a certificate of registration to engage in the practice of veterinary medicine.

(2) The Registrar shall issue an annual certificate in accordance with the by-laws to a registered veterinarian

(a) whose registration is not under suspension, and

(b) who has paid the annual fee.

(3) Subject to this Act, an annual certificate entitles the registered veterinarian to engage in the practice of veterinary medicine during the year for which the annual certificate is issued.

Wildlife Act

26 Amends chapter W-9.1 of the Statutes of Alberta, 1984. Section 2(2) presently reads:

(2) The following persons are ex officio wildlife officers:

(a) all members of the Royal Canadian Mounted Police,

(b) all forest officers appointed under the Forests Act,

(c) all park rangers appointed under the Provincial Parks Act, and

*(d) all members of the Alberta Highway Patrol of the
Department of Justice.*