

1998 BILL 33

Second Session, 24th Legislature, 47 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 33

**ENVIRONMENTAL PROTECTION AND
ENHANCEMENT AMENDMENT ACT, 1998**

THE MINISTER OF ENVIRONMENTAL PROTECTION

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 33

1998

ENVIRONMENTAL PROTECTION AND ENHANCEMENT AMENDMENT ACT, 1998

(Assented to _____, 1998)

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

Amends SA
1992 cE-13.3

**1 The *Environmental Protection and Enhancement Act* is
amended by this Act.**

2 Section 1 is amended

**(a) by repealing clause (bbb) and substituting the
following:**

(bbb) “quarry” means any opening in, excavation in or
working of the surface or subsurface for the purpose
of working, recovering, opening up or proving

(i) any mineral other than coal, a coal bearing
substance, oil sands or an oil sands bearing
substance, or

(ii) ammonite shell,

and includes any associated infrastructure;

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

(yyy) “well” means an orifice in the ground that is
completed or is being drilled

(i) for the production of oil, oil sands or gas, or

(ii) for injection into an underground formation.

Explanatory Notes

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

2 Section 1 presently reads in part:

1 In this Act,

(bbb) “quarry” means any opening in, excavation in or working of the surface or subsurface for the purpose of working, recovering, opening up or proving any mineral other than coal, a coal bearing substance, oil sands or an oil sands bearing substance, and includes any associated infrastructure;

(yyy) “well” means, except in Part 6, any well, whether or not a licence is required in respect of it under the Oil and Gas Conservation Act.

3 Section 7(1)(a)(v) is repealed and the following is substituted:

- (v) Intergovernmental and Aboriginal Affairs;

4 Section 10 is repealed and the following is substituted:

Committees

10(1) The Minister may establish one or more committees consisting of employees of the Government or a Government agency or of the Government of Canada or an agency of that Government to co-ordinate and review matters related to this Act and to advise the Minister on matters related to this Act and the protection of the environment generally.

(2) The Director may establish one or more committees consisting of employees of the Government or a Government agency or of the Government of Canada or an agency of that Government to advise the Director on matters related to this Act that are referred to the committees.

(3) A committee may make rules governing its conduct, procedures and meetings.

(4) A committee shall make and submit to the Minister or the Director, as the case may be, reports and recommendations on specific matters reviewed by it.

5 Section 33(1)(a) is amended

(a) in subclause (v.1) by striking out “as required by the regulations” **and substituting** “and are required by the regulations to be disclosed to the public under this section”;

(b) in subclause (vii) by striking out “objection” **and substituting** “appeal”.

6 Section 35(f) is repealed and the following is substituted:

- (f) authorizing a delegated authority to make by-laws and respecting the subject-matters on which such by-laws may be made;

3 Correct department name.

4 Section 10 presently reads:

10(1) The Minister may establish one or more interdepartmental committees consisting of employees of the Government or of Government agencies to co-ordinate and review matters related to this Act and to advise the Minister on matters related to this Act and the protection of the environment generally.

(2) The Director may establish one or more interdepartmental committees consisting of employees of the Government or of Government agencies to advise the Director on matters related to this Act that are referred to the committees.

(3) An interdepartmental committee may make rules governing its conduct, procedures and meetings.

(4) An interdepartmental committee shall make and submit to the Minister or the Director, as the case may be, reports and recommendations on specific matters reviewed by it.

5 Section 33(1) presently reads in part:

33(1) Subject to this section,

(a) the following documents and information in the possession of the Department that are provided to the Department in the administration of this Act shall be disclosed to the public in the form and manner provided for in the regulations:

(v.1) any reports or studies that are provided to the Department as required by the regulations;

(vii) notices of objection;

6 Section 35(f) presently reads:

35 The Lieutenant Governor in Council may make regulations

(f) making, with respect to a delegation referred to in clause (e), any provision that is made in Schedule 10

- (f.1) authorizing the Minister or a delegated authority to disclose
 - (i) information acquired in the course of or as a result of the operations of the delegated authority,
 - (ii) information respecting the operations of the delegated authority, or
 - (iii) information respecting the officers or employees of the delegated authority;
- (f.2) authorizing a delegated authority to require persons or classes of persons specified in the regulations to provide security to ensure the carrying out of their duties under the regulations and by-laws and respecting the nature, amount and forfeiture of such security;
- (f.3) respecting, in regard to the delegation of authority and with necessary modifications, any matter in respect of which the Lieutenant Governor in Council may make regulations under section 2 of Schedule 10 of the *Government Organization Act* in regard to a delegation under that Schedule;
- (f.4) making applicable in regard to the delegation any of the other provisions of Schedule 10 of the *Government Organization Act*, with necessary modifications;

7 The following is added after section 62:

Refusal for
unpaid debts

62.1 The Director may refuse to issue an approval or registration where the applicant is indebted to the Government.

8 Section 84 is amended

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

- (i.1) where the Director cancels a reclamation certificate, the operator may submit a notice of appeal;
- (i.11) where the Director refuses to accept an application for a reclamation certificate or an inspector refuses to issue a reclamation certificate, the operator may submit a notice of appeal;

of the Government Organization Act or that may be made by regulation under section 2 of that Schedule;

7 Refusal of approval or registration for non-payment of amounts owing to Government.

8 Section 84 presently reads in part:

84(1) A notice of objection may be submitted to the Board by the following persons in the following circumstances:

(i.1) where the Director cancels a reclamation certificate under section 124(1)(b.1), the operator may submit a notice of objection;

(b) in subsections (1), (2), (3), (4), (6) and (7) by striking out “notice of objection” wherever it occurs and substituting “notice of appeal”;

(c) in subsection (4)(c) by striking out “objected to” wherever it occurs and substituting “appealed from”.

9(1) In the following provisions “notice of objection” is struck out wherever it occurs and “notice of appeal” is substituted:

section 85;
section 86(1);
section 87(2)(a), (3), (5)(a), (b), (7);
section 89(1), (2);
section 90(1);
section 91(1);
section 94(a).

(2) In the following provisions “notices of objection” is struck out and “notices of appeal” is substituted:

section 87(2);
section 90(4)(a);
section 92(2).

10 Section 99 is amended

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

Duty to report
release

99(1) A person who releases or causes or permits the release of a substance into the environment that has caused, is causing or may cause an adverse effect shall, as soon as that person knows or ought to know of the release, report it to

- (a) the Director,
- (b) the owner of the substance, where the person reporting knows or is readily able to ascertain the identity of the owner,
- (c) any person to whom the person reporting reports in an employment relationship,
- (d) the person having control of the substance, where the person reporting is not the person having control of the substance and knows or is readily able to

9 Change “notice of objection” to “notice of appeal”.

10 Section 99 presently reads in part:

99(1) A person, other than the person having control of the substance, who releases or causes or permits the release of a substance into the environment that has caused, is causing or may cause an adverse effect shall, as soon as that person knows or ought to know of the release, report it to

(a) the Director,

(b) the owner of the substance, where the person reporting knows or is readily able to ascertain the identity of the owner,

(c) the person having control of the substance, where the person reporting knows or is readily able to ascertain the identity of the person having control, and

(d) any other person who the person reporting knows or ought to know may be directly affected by the release.

(2) The person having control of a substance that is released into the environment that has caused, is causing or may cause an adverse effect shall, immediately on becoming aware of the

ascertain the identity of the person having control,
and

(e) any other person who the person reporting knows or
ought to know may be directly affected by the
release.

**(b) in subsection (2) by striking out “and (d)” and
substituting “, (c) and (e)”.**

11 Section 105.4 is amended

**(a) in clause (a) by striking out “plans and specifications”
and substituting “plans, specifications and other
information”;**

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

(c.1) respecting the provision to the Director of
information and reports relating to the remediation;

12 Section 119 is amended

**(a) in clause (b) by adding the following after subclause
(ii.1):**

(ii.11) a working interest participant in a well on, in or
under specified land,

**(b) in clause (f) by striking out “or” at the end of
subclause (ii), by adding “or” at the end of subclause
(iii) and by adding the following after subclause (iii):**

release, report it to the persons referred to in subsection (1)(a), (b) and (d) unless the person having control has reasonable grounds to believe that those persons already know of the release.

11 Section 105.4 presently reads:

105.4 The Lieutenant Governor in Council may make regulations

- (a) respecting the procedure for the submission of applications for remediation certificates and the plans and specifications that must accompany applications;*
- (b) respecting the manner in which remediation is to be carried out;*
- (c) respecting the establishment of standards or criteria to be used to determine whether remediation has been completed in a satisfactory manner;*
- (d) prescribing dates or the manner of determining dates for the purposes of section 105.2, generally or in respect of different classes of land or releases of substances;*
- (e) respecting terms and conditions that may be contained in remediation certificates;*
- (f) respecting the giving of notices for the purposes of section 105.1.*

12 Section 119 presently reads in part:

119 In this Part,

- (b) "operator" means*
 - (i) an approval or registration holder who carries on or has carried on an activity on or in respect of specified land pursuant to an approval or registration,*

(iv) land owned by the Crown in right of Canada;

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

(j) “working interest participant” means a person who owns or controls all or part of a beneficial or legal undivided interest in a well under an agreement that pertains to the ownership of that well.

13 Section 122(1)(a) is repealed and the following is substituted:

- (a) conserve specified land,
- (a.1) reclaim specified land, and

14 Section 123 is amended

- (a) in subsection (1) by adding “and within the time” after “manner”;**
- (b) by adding the following after subsection (1):**

- (ii) *any person who carries on or has carried on an activity on or in respect of specified land other than pursuant to an approval or registration,*
- (ii.1) *the holder of a licence, approval or permit issued by the Energy Resources Conservation Board for purposes related to the carrying on of an activity on or in respect of specified land,*
- (ii.2) *the holder of a surface lease for purposes related to the carrying on of an activity on or in respect of specified land,*
- (iii) *a successor, assignee, executor, administrator, receiver, receiver-manager or trustee of a person referred to in any of subclauses (i) to (ii.2), and*
- (iv) *a person who acts as principal or agent of a person referred to in any of subclauses (i) to (iii);*
- (f) *“specified land” means specified land within the meaning of the regulations on or in respect of which an activity is or has been carried on, but does not include*
 - (i) *land used solely for the purposes of an agricultural operation,*
 - (ii) *subdivided land that is used or intended to be used solely for residential purposes, or*
 - (iii) *any part of any unsubdivided land that is the site of a residence and the land used in connection with that residence solely for residential purposes;*

13 Section 122(1) presently reads:

122(1) An operator must

- (a) *conserve and reclaim specified land, and*
- (b) *unless exempted by the regulations, obtain a reclamation certificate in respect of the conservation and reclamation.*

14 Section 123(1) presently reads:

123(1) An application for a reclamation certificate must be made by the operator to the Director in the form and manner provided for in the regulations.

(1.1) An inspector may refuse to issue a reclamation certificate where the applicant is indebted to the Government.

15 Section 127(2)(a) is repealed and the following is substituted:

- (a) subject to subsection (3), issue an environmental protection order regarding conservation and reclamation to
 - (i) the person to whom the reclamation certificate was issued,
 - (ii) a successor, assignee, executor, administrator, receiver, receiver-manager or trustee of a person referred to in subclause (i), or
 - (iii) a person who acts as principal or agent of a person referred to in subclause (i) or (ii)

directing the performance of any work that the Director considers is necessary to conserve and reclaim the specified land, or

16 Section 161(b) is repealed and the following is substituted:

- (b) “dispose of” in sections 168.1 to 173 includes discharge, deposit, dump, throw, drop, discard, abandon, spill, leak, pump, pour, emit or empty;

17 Section 162(b) is repealed and the following is substituted:

- (b) the hazardous recyclable is being consigned to a facility that is authorized under this Act to recycle that hazardous recyclable.

18 Section 168 is amended by adding the following after clause (w):

- (w.1) exempting any person from the application of all or part of section 162;

15 Section 127(2) presently reads:

(2) If, following the reclamation inquiry, the Director is of the opinion that further work is necessary to conserve and reclaim the specified land and the work relates to matters that were not apparent to the inspector at the time the reclamation certificate was issued by the inspector, the Director may

- (a) subject to subsection (3), issue an environmental protection order regarding conservation and reclamation to the person to whom the reclamation certificate was issued directing the performance of any work that the Director considers is necessary to conserve and reclaim the specified land, or*
- (b) carry out any work that the Director considers is necessary to conserve and reclaim the specified land.*

16 Section 161(b) presently reads:

161 In this Part,

- (b) “dispose of” in sections 169 to 173 means to discharge, dump, throw, drop, discard, abandon, spill, leak, pump, pour, emit or empty;*

17 Section 162(b) presently reads:

162 No person shall consign for shipment any hazardous recyclable unless

- (b) the hazardous recyclable is being consigned to a facility in respect of which an approval or registration has been issued authorizing it to recycle that hazardous recyclable.*

18 Exemption from prohibition regarding consignment of hazardous recyclables.

19 Section 168.1 is repealed and the following is substituted:

General prohibition

168.1 No person shall dispose of waste except

- (a) at a waste management facility, or in a container the contents of which will be taken to a waste management facility, that is the subject of the appropriate approval, registration or notice required under this Act, or
- (b) in accordance with the written authorization of the Director.

20 The following is added after section 168.1:

Deemed disposal

168.2 For the purposes of sections 169 to 173, waste is deemed to be disposed of on public land, on a highway, on land owned or administered by a local authority, on land owned by another person or on, into or under water or ice, as the case may be, if the waste is in another location and by natural forces moves or is moved to the public land, highway, land owned or administered by the local authority, land owned by another person or on, into or under the water or ice.

21 Section 178 is amended

- (a) in clause (a) by adding “and exempting anything from the definition of waste” after “waste”;
- (b) by adding the following after clause (e):
 - (f) exempting any person from the application of all or any of the provisions of this Division or the regulations under this Division.

22 Section 202 is amended

- (a) by adding the following after subsection (1):
 - (1.1) The Director may amend an enforcement order by adding to the list of persons to whom the order is directed.
- (b) in subsection (2) by striking out “subsection (1)” and substituting “subsection (1) or (1.1)”;

19 Section 168.1 presently reads:

168.1 No person shall dispose of waste except in accordance with an approval or registration or as otherwise provided for under this Act.

20 Waste deemed to be “disposed of”.

21 Section 178 presently reads in part:

*178 The Lieutenant Governor in Council may make regulations
(a) designating anything as waste;*

22 Section 202 presently reads:

202(1) The Director may

(a) amend a term or condition of, add a term or condition to or delete a term or condition from an enforcement order,

(b) cancel an enforcement order, or

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

(4) A copy of an enforcement order issued under subsection (1.1) must be served on

- (a) any person whose name was added to it, and
- (b) the same person to whom the original order was directed.

23 Section 204(2)(b) is repealed and the following is substituted:

- (b) by order of the Minister directing any person who purchases land to which the enforcement order relates including, without limitation, a purchase on the sale of the land to realize a security interest, to pay to the Minister instead of to the vendor an amount not exceeding the amount owing in respect of the costs.

24 The following is added before section 206:

Priority for costs

205.1 Costs incurred by the Director under section 204 or 231 and costs incurred by an inspector or investigator or the Director in taking emergency measures under section 104 or 145 constitute a charge in favour of the Government,

- (a) in the case of costs incurred under section 204 or 231, on the land to which the order relates and on any other land that
 - (i) is contiguous to the land to which the order relates,
 - (ii) is used for the same or a related purpose, and
 - (iii) is owned by the person who owns the land to which the order relates or by the person to whom the order is directed,

and

(c) amend a clerical error in an enforcement order.

(2) The Director may exercise powers under subsection (1) notwithstanding that the original enforcement order may have been issued by an investigator.

(3) A copy of an enforcement order issued under subsection (1) must be served on the same person to whom the original order was directed.

23 Section 204(2) presently reads:

(2) Costs incurred by the Director under this section are recoverable by the Government

(a) in an action in debt against the person to whom the enforcement order was directed, or

(b) by order of the Minister directing any person who purchases land from the person to whom the enforcement order was directed to pay to the Minister instead of to the vendor an amount not exceeding the amount owing in respect of the costs.

24 Priority of Government's costs.

(b) in the case of costs incurred under section 104 or 145, on the land on which the emergency measures were taken and on any other land that

(i) is contiguous to the land on which the emergency measures were taken,

(ii) is used for the same or a related purpose, and

(iii) is owned by the same person who owns the land on which the emergency measures were taken,

and the charge is enforceable in the same way as a mortgage or other security on land and ranks above any other claim, right or charge against the land, notwithstanding any other law of Alberta.

25 The following is added after section 206:

Extension of
limitation
period

206.1(1) A judge of the Court of Queen's Bench may, on application, extend a limitation period provided by a law in force in Alberta for the commencement of a civil proceeding where the basis for the proceeding is an alleged adverse effect resulting from the alleged release of a substance into the environment.

(2) An application under subsection (1) may be made before or after the expiry of the limitation period.

(3) In considering an application under subsection (1), the judge shall consider the following factors, where information is available:

(a) when the alleged adverse effect occurred;

(b) whether the alleged adverse effect ought to have been discovered by the claimant had the claimant exercised due diligence in ascertaining the presence of the alleged adverse effect, and whether the claimant exercised such due diligence;

(c) whether extending the limitation period would prejudice the proposed defendant's ability to maintain a defence to the claim on the merits;

(d) any other criteria the court considers to be relevant.

25 Extension of limitation periods for claims based on environmental damage.

26 The following is added after section 210:

Registration of
orders

210.1(1) In this section, “order” means

- (a) a designation of an area of the environment as a contaminated site under section 110,
 - (b) an enforcement order, and
 - (c) an environmental protection order.
- (2) The Director may submit a certified copy of an order to
- (a) the Registrar of Land Titles under the *Land Titles Act*, or
 - (b) the Registrar of the Metis Settlements Land Registry under the *Metis Settlements Act*.
- (3) On receiving a certified copy of an order under subsection (2), the Registrar shall
- (a) endorse a memorandum of the order on the certificate of title to the land to which the order relates, or
 - (b) record the order against the Metis title register for the land to which the order relates,

as the case may be.

(4) Notwithstanding any other Act, an endorsement or record under this section does not lapse and shall not be cancelled except on the receipt by the Registrar of a notice in writing from the Director requesting the cancellation.

(5) On making an endorsement or record under this section, the Registrar shall notify the Director to that effect, and the Director shall notify in writing

- (a) the registered owner of the land to which the order relates and all other persons who have a registered interest against the land, or
- (b) the person against whose Metis title the order is recorded and all other persons who have a recorded interest against the Metis title,

as the case may be.

26 Registration of designations, orders against land.

27 Section 223 is amended

(a) in subsection (1) by striking out “day or part of a day the contravention occurs or continues” and substituting “contravention”;

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

(1.1) A person who contravenes a provision referred to in subsection (1) is liable for the administrative penalty for each day or part of a day on which the contravention occurs and continues.

(c) by repealing subsection (3) and substituting the following:

(3) Subject to the right to appeal a notice of administrative penalty to the Environmental Appeal Board, where a person fails to pay an administrative penalty in accordance with the notice of administrative penalty and the regulations, the Minister may file a copy of the notice of administrative penalty with the clerk of the Court of Queen’s Bench and, on being filed, the notice has the same force and effect and may be enforced as if it were a judgment of the Court.

28 Section 225(f) is repealed and the following is substituted:

(f) prescribing contraventions in respect of which an administrative penalty may be imposed and prescribing the amounts, or the manner of determining the amounts, of the administrative penalties that may be imposed, not to exceed \$5000

(i) for each contravention, or

(ii) for each day or part of a day on which the contravention occurs and continues,

as the case may be;

29 Section 226(3) and (4) are repealed and the following is substituted:

(3) Notwithstanding subsection (1), where an environmental protection order is directed to a person who is acting in the capacity of executor, administrator, receiver, receiver-manager or trustee, that person’s liability is limited to the value of the assets that person is administering unless the

27 Section 223 presently reads:

223(1) Where the Director is of the opinion that a person has contravened a provision of this Act that is specified for the purposes of this section in the regulations, the Director may, subject to the regulations, by notice in writing given to that person require that person to pay to the Government an administrative penalty in the amount set out in the notice for each day or part of a day the contravention occurs or continues.

(2) A person who pays an administrative penalty in respect of a contravention may not be charged under this Act with an offence in respect of that contravention.

(3) Where a person fails to pay an administrative penalty in accordance with a notice under subsection (1) or a decision of the Board under section 90, the Government may recover the amount owing in respect of the penalty in an action in debt.

28 Section 225(f) presently reads:

225 The Lieutenant Governor in Council may make regulations

(f) prescribing contraventions in respect of which an administrative penalty may be imposed and prescribing the amounts, or the manner of determining the amounts, of the administrative penalties that may be imposed, not to exceed \$5000 for each contravention;

29 Section 226 presently reads in part:

226(1) Where an environmental protection order is directed to more than one person, all persons named in the order are jointly responsible for carrying out the terms of the order and are jointly and severally liable for payment of the costs of doing so, including any costs incurred by the Director under section 231(2).

situation identified in the order resulted from or was aggravated by the gross negligence or wilful misconduct of the executor, administrator, receiver, receiver-manager or trustee.

30 Section 229 is amended

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

(1.1) The Director may amend an environmental protection order by adding to the list of persons to whom the order is directed.

(b) in subsection (2) by striking out “subsection (1)” and substituting “subsection (1) or (1.1)”;

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

(4) A copy of an environmental protection order amended under subsection (1.1) must be served on

(a) any person whose name was added to it, and

(b) the same person to whom the original order was directed.

31 Section 231(2)(b) is repealed and the following is substituted:

(b) by order of the Minister directing any person who purchases land to which the environmental protection order relates including, without limitation, a purchase on the sale of the land to realize a security interest, to pay to the Minister instead of to the vendor an amount not exceeding the amount owing in respect of the costs.

32 Section 243(8) and (9) are amended by striking out “notice of objection” and substituting “notice of appeal”.

(3) Notwithstanding subsection (1), where an environmental protection order under section 114 is directed to a person who is acting in the capacity of executor, administrator, receiver, receiver-manager or trustee in respect of a person responsible for a contaminated site, that person's liability is limited to the value of the assets the person is administering.

(4) The limitation of liability under subsection (3) does not apply where the executor, administrator, receiver, receiver-manager or trustee contributes to further accumulation or the continued release of the substance on becoming aware of the presence of the substance in, on or under the contaminated site.

30 Section 229 presently reads:

229(1) The Director may

- (a) amend a term or condition of, add a term or condition to or delete a term or condition from an environmental protection order,*
- (b) cancel an environmental protection order, or*
- (c) correct a clerical error in an environmental protection order.*

(2) The Director may exercise powers under subsection (1) notwithstanding that the original environmental protection order may have been issued by an inspector or investigator.

(3) A copy of an environmental protection order amended under subsection (1) shall be served on the same person to whom the original order was directed.

31 Section 231(2) presently reads:

(2) Costs incurred by the Director under this section are recoverable by the Government

- (a) in an action in debt against the person to whom the environmental protection order was directed, or*
- (b) by order of the Minister directing any person who purchases land from the person to whom the environmental protection order was directed to pay to the Minister instead of to the vendor an amount not exceeding the amount owing in respect of the costs.*

32 Change in terminology - “notice of objection” to “notice of appeal”.

33 The *Water Act* is amended

(a) in section 116(1)(a)(ii) and (b) by striking out “objected to” wherever it occurs and substituting “appealed from”;

(b) in section 169(1) by striking out “objections” and substituting “objectives”;

(c) in section 169(2) by adding the following after clause (dd):

(dd.1) deeming approvals issued under Part 6 of the *Environmental Protection and Enhancement Act* to be approvals for the purposes of this Act and respecting any transitional provisions that the Minister considers necessary for the purposes of facilitating the transfer of the regulation of water well drilling from the *Environmental Protection and Enhancement Act* to this Act;

(d) in section 175(2)

(i) by renumbering clause (a) as clause (a.1) and by adding the following before clause (a.1):

(a) in section 1(eee.1) by striking out “138(f),”;

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

(c) in section 84

(i) in subsection (1)(h) by striking out “136,”;

(ii) in subsection (1) by adding the following after clause (l):

(m) persons authorized under Part 9 of the *Water Act*, in accordance with Part 9 of the *Water Act*.

(iii) in subsection (6) by adding “submitted to the Board under this Act or in accordance with the *Water Act*” after “appeal”;

(iii) in clauses (d) and (f) by striking out “notice of objection” and substituting “notice of appeal”;

(iv) by repealing clause (h) and substituting the following:

33 Consequential amendments to chapter W-3.5 of the Statutes of Alberta, 1996.

(h) by repealing Part 6;

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

(h.1) in section 200(1)(d) by striking out “135,”;

(h.2) in section 213(j) by striking out “134,”;

(h.3) in section 214(3) by striking out “134,”;

(h.4) in section 233(1) and (2) by striking out “136,”;

(h.5) in section 234 by striking out “, 137”;

(h.6) in the Table following section 244(1) by striking out “Ground Water Development Act section 7” in Column A and by striking out “section 135” in Column B;

(e) in the following provisions by striking out “notice of objection” wherever it occurs and substituting “notice of appeal”:

section 114;
section 115(1), (2);
section 116(1), (3).

34 Sections 19, 20, 25 and 29 come into force on Proclamation.

34 Coming into force.