

1999 BILL 39

Third Session, 24th Legislature, 48 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 39

**MISCELLANEOUS STATUTES
AMENDMENT ACT, 1999**

THE MINISTER OF JUSTICE AND
ATTORNEY GENERAL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 39

1999

MISCELLANEOUS STATUTES AMENDMENT ACT, 1999

(Assented to _____, 1999)

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

Business Corporations Act

Amends SA
1981 cB-15

1(1) The *Business Corporations Act* is amended by this section.

(2) Section 174 is amended

(a) in subsection (1) by striking out “by special resolution”;

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

(1.1) A restatement of articles

(a) may be done by a resolution of the directors where the restatement only consolidates previous amendments or is done in conjunction with an amendment that the directors are authorized to make without a special resolution, and

(b) must be done by special resolution in all other cases.

Cemeteries Act

Amends RSA
1980 cC-2

2(1) The *Cemeteries Act* is amended by this section.

(2) Section 60(1)(w) is amended by striking out “burial and cost of burial” and substituting “burial or other disposition and cost of burial or other disposition”.

Explanatory Notes

Business Corporations Act

1(1) Amends chapter B-15 of the Statutes of Alberta, 1981.

(2) Section 174(1) presently reads:

174(1) A corporation may at any time, and shall when reasonably so directed by the Registrar, restate by special resolution the articles of incorporation as amended.

Cemeteries Act

2(1) Amends chapter C-2 of the Revised Statutes of Alberta 1980.

(2) Section 60(1)(w) presently reads:

60(1) The Minister may make regulations

(3) Section 63(2) is repealed and the following is substituted:

(2) A person may without any reason cancel

- (a) a pre-need contract that the person has entered into for the purpose of purchasing cemetery supplies or cemetery services or both, or
- (b) a contract that the person has entered into for the purpose of purchasing or leasing a lot, plot, compartment, crypt or other space in an existing or proposed cemetery, columbarium or mausoleum for future use by any person,

by giving a notice of cancellation in accordance with this section within the period specified in the regulations.

Child and Family Services Authorities Act

Amends SA
1996 cC-7.3

3 The *Child and Family Services Authorities Act* is amended in section 1 by adding the following after clause (c)(i):

- (i.1) programs and services under the *Protection of Children Involved in Prostitution Act*;

- (w) *respecting the burial and cost of burial of the bodies of destitute or indigent persons;*

(3) Section 63(2) presently reads:

(2) A person may without any reason cancel a contract which he has entered into for the purpose of

- (a) purchasing cemetery supplies or cemetery services, or*
- (b) purchasing or leasing a lot, plot, compartment, crypt or other space in an existing or proposed cemetery, columbarium or mausoleum for future use by any person,*

by giving a notice of cancellation in accordance with this section within the period specified in the regulations.

Child and Family Services Authorities Act

3 Amends chapter C-7.3 of the Statutes of Alberta, 1996. Section 1(c) presently reads:

1 In this Act,

- (c) "child and family services" means the programs and services for which an Authority has assumed responsibility pursuant to an agreement, and may include the following:*
 - (i) programs and services under the Child Welfare Act;*
 - (ii) programs and services under the Social Care Facilities Licensing Act;*
 - (iii) the provision of social allowance for the care of children under section 9 of the Social Development Act;*
 - (iv) the funding of women's shelters and other safe living arrangements for victims of family violence;*
 - (v) education and prevention with respect to child abuse and domestic violence;*
 - (vi) early intervention designed to promote and maintain the safety and healthy development of children and families;*

Child Welfare Act

Amends SA
1984 cC-8.1

4(1) The *Child Welfare Act* is amended by this section.

(2) Section 59 is amended

(a) in subsection (3) by striking out “of the spouse of a petitioner” and substituting “whose step-parent is the petitioner”;

(b) in subsection (3)(a) by repealing subclause (iii) and substituting the following:

(iii) where the petitioner is the step-parent of the child, the name of the parent who has lawful custody of the child, and

(3) Section 65(3) is repealed and the following is substituted:

(3) If a child is adopted by the step-parent of the child, the child does not cease to be the child of the parent who has lawful custody and that parent does not cease to be the parent and guardian of the child.

Coal Conservation Act

Amends RSA
1980 cC-14

5(1) The *Coal Conservation Act* is amended by this section.

(2) Section 21(1), (2), (2.1) and (2.2) are repealed.

- (vii) *financial assistance to eligible families needing out of home child care;*
- (viii) *assistance to families involved in child custody and access disputes;*
- (ix) *any other program or service prescribed in the regulations;*

Child Welfare Act

4(1) Amends chapter C-8.1 of the Statutes of Alberta, 1984.

(2) Section 59 presently reads in part:

(3) A petition for an adoption order in respect of a child of the spouse of a petitioner or a child who is placed by a parent directly in the custody of a petitioner who is a relative of the child shall be filed with the Court and must be accompanied by the following documentation:

- (a) the affidavit of the petitioner setting out

 - (i) the name, date and place of birth, gender and parentage of the child, so far as is known,*
 - (ii) the age, address, marital status and occupation of the petitioner and the relationship of the petitioner to the child,*
 - (iii) the name of the spouse of the petitioner, and*
 - (iv) the terms of any agreement or order respecting access to the child;**
- (b) the consents required under section 56 or an affidavit indicating the reasons why the petitioner is requesting that the Court dispense with one or more of the consents.*

(3) Section 65(3) presently reads:

(3) If a person adopts the child of his spouse, the child does not cease to be the child of that spouse and that spouse does not cease to be the parent and guardian of the child.

Coal Conservation Act

5(1) Amends chapter C-14 of the Revised Statutes of Alberta 1980.

(2) Section 21 presently reads in part:

21(1) Before the Board issues a permit or licence pursuant to this Part, it shall refer the application to the Minister of Environmental Protection for his approval of the application as it affects matters of the environment.

(3) Section 24(1), (2), (2.1) and (2.2) are repealed.

Consulting Engineers of Alberta Act

Amends SA
1992 cC-22.4

6(1) The *Consulting Engineers of Alberta Act* is amended by this section.

(2) Section 5(2) is amended by striking out “one director” and substituting “2 directors”.

(2) The Minister of Environmental Protection may give his approval with or without conditions, but when conditions are imposed, the Board shall, if it grants a permit or licence, make the permit or licence subject to the same conditions imposed by the Minister of Environmental Protection when he gave his approval.

(2.1) Notwithstanding subsection (1), the Minister of Environmental Protection may direct that

(a) an application, or

(b) a type of application,

for a permit or licence or an amendment of a permit or licence specified by him be not referred to him.

(2.2) The Minister of Environmental Protection may authorize an employee of his department to exercise the powers conferred on him by this section.

(3) Section 24 presently reads in part:

24(1) Before the Board issues an approval pursuant to this Part, it shall refer the application to the Minister of Environmental Protection for his approval of the application as it affects matters of the environment.

(2) The Minister of Environmental Protection may give his approval with or without conditions, but when conditions are imposed, the Board shall, if it grants an approval, make its approval subject to the same conditions imposed by the Minister of Environmental Protection when he gave his approval.

(2.1) Notwithstanding subsection (1), the Minister of Environmental Protection may direct that

(a) an application, or

(b) a type of application,

for an approval or an amendment of an approval specified by him be not referred to him.

(2.2) The Minister of Environmental Protection may authorize an employee of his department to exercise the powers conferred on him by this section.

Consulting Engineers of Alberta Act

6(1) Amends chapter C-22.4 of the Statutes of Alberta, 1992.

(2) Section 5(2) presently reads:

(2) No member shall have more than one director on the Board at the same time.

(3) Section 17 is amended

(a) in subsection (1)(p) by adding “or electronic means” after “votes by mail”;

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

(2) A by-law under subsection (1) does not come into force unless it is approved by a $\frac{2}{3}$ majority of members present and voting at a general meeting or voting by means of a vote conducted by mail or electronic means in accordance with the by-laws.

Court of Queen’s Bench Act

Amends RSA
1980 cC-29

7 The *Court of Queen’s Bench Act* is amended by adding the following after section 14.1:

Regulations

14.2(1) The Lieutenant Governor in Council shall make regulations

- (a) fixing the salaries to be paid to masters in chambers;
- (b) fixing the amount to be paid to masters in chambers sitting part time;
- (c) providing for the benefits to which masters in chambers are entitled, including
 - (i) personal expense allowances and services;
 - (ii) travel and moving allowances;
 - (iii) leaves of absence and vacations;
 - (iv) sick leave credits and payments in respect of those credits;
 - (v) benefits under one or more pension plans for masters in chambers and other individuals deriving benefit entitlements through them;
- (d) without limiting anything in clause (d), providing for the continuation or establishment of

(3) Section 17 presently reads in part:

17(1) The Board may make by-laws

(p) respecting the holding of votes by mail on any matter relating to the Consulting Engineers;

(2) A by-law under subsection (1) does not come into force unless it is approved

(a) by a majority of the members present and voting at a general meeting or voting by means of a vote conducted by mail in accordance with the by-laws, and

(b) by the Minister.

Court of Queen's Bench Act

7 Amends chapter C-29 of the Revised Statutes of Alberta 1980. Adds regulations.

(i) one or more pension plans, including a supplemental retirement plan that may or may not be registrable under the *Income Tax Act* (Canada), and

(ii) one or more pension funds,

including the making of any provisions in respect of those plans or funds that are made, or that are similar to or that correspond to provisions made, by or under, or that could be made under, the *Public Sector Pension Plans Act* with respect to any pension plan or pension fund continued or established by that Act;

(e) providing for the transfer or other disposition of those benefits to which persons appointed as masters in chambers under this Act were entitled under the *Public Service Act* and the regulations under that Act or the Public Service Pension Plan, the Public Service Management (Closed Membership) Pension Plan or the Management Employees Pension Plan at the time of their appointment under this Act.

(2) Regulations made under subsection (1) shall, if so provided in the regulation, be effective from a date prior to the making of the regulation.

Fair Trading Act

Amends SA
1998 cF-1.05

8(1) The *Fair Trading Act* is amended by this section.

(2) Section 69(c) is amended by striking out “reflect charges” and substituting “reflect the costs”.

(3) Section 110(1) is amended

(a) by striking out “except section 119” and substituting “except section 117”;

(b) in clause (b)

Fair Trading Act

8(1) Amends chapter F-1.05 of the Statutes of Alberta, 1998.

(2) Section 69(c) presently reads:

69 The only default charges that may be provided for by a credit agreement are

(c) reasonable charges that reflect charges incurred by the credit grantor because a cheque or other payment instrument given by the borrower to the credit grantor was dishonoured.

(3) Section 110(1) presently reads:

110(1) This Part, except section 119, does not apply

(a) to an insurer, agent, adjuster or broker licensed under the Insurance Act or to the employees of any of them who are acting in the regular course of their employment,

(i) **by adding** “the *Canada Business Corporations Act* (Canada),” **after** “*Insolvency Act* (Canada),”;

(ii) **by adding** “, the *Personal Property Security Act*” **after** “*Judicature Act*”.

(4) Section 151(5)(c) is amended

(a) **by adding** “the *Canada Business Corporations Act* (Canada),” **after** “*Insolvency Act* (Canada),”;

(b) **by adding** “the *Personal Property Security Act*,” **after** “*Judicature Act*,”.

Fatality Inquiries Act

Amends RSA
1980 cF-6

9(1) The *Fatality Inquires Act* is amended by this section.

(2) Section 10(2)(i) is amended by adding “or as a result of the use of force by a peace officer while on duty”.

Gas Utilities Act

Amends RSA
1980 cG-4

10 The *Gas Utilities Act* is amended in section 26.1(1) by repealing clause (d) and substituting the following:

(d) “Nova” means Nova Gas Transmission Ltd.

- (b) *to an assignee, custodian, liquidator, receiver, trustee or other person licensed or acting under the Bankruptcy and Insolvency Act (Canada), the Companies Act, the Business Corporations Act, the Judicature Act or the Winding-up and Restructuring Act (Canada) or to a person acting under a debenture or the order of any court, or*
- (c) *to an industry member within the meaning of the Real Estate Act or to the employees of an industry member acting in the regular course of their employment.*

(4) Section 151(5)(c) presently reads:

(5) In the circumstances referred to in subsection (2), the Director may, in writing, issue one or more of the following directions:

- (c) *direct the investigated person to hold any personal property of clients or others that is in the person's possession or under the person's control in trust for a receiver appointed under subsection (3) or for an interim receiver, custodian, trustee, receiver, receiver and manager or liquidator appointed under the Bankruptcy and Insolvency Act (Canada), the Judicature Act, the Companies Act, the Business Corporations Act or the Winding-up and Restructuring Act (Canada), as the case may be.*

Fatality Inquiries Act

9(1) Amends chapter F-6 of the Revised Statutes of Alberta 1980.

(2) Section 10(2) presently reads:

(2) Deaths that occur under any of the following circumstances require notification under subsection (1):

- (i) *deaths that occur while the deceased person was in the custody of a peace officer;*

Gas Utilities Act

10 Amends chapter G-4 of the Revised Statutes of Alberta 1980.
Section 26.1(1)(d) presently reads:

26.1(1) In this Part,

- (d) *"Nova" means NOVA Corporation of Alberta, a corporation continued under the Business Corporations Act.*

Government Organization Act

Amends SA
1994 cG-8.5

11 The *Government Organization Act* is amended in section 1(2) of Schedule 8 by striking out “a chairman” and substituting “one chair from each council”.

Highway Traffic Act

Amends RSA
1980 cH-7

12(1) The *Highway Traffic Act* is amended by this section.

(2) The following is added after section 34:

Conspicuity
systems

34.1(1) In this section,

- (a) “conspicuity system” means the display of reflective markings on trailers in accordance with the requirements of the federal legislation;
- (b) “federal legislation” means the *Motor Vehicle Safety Act* (Canada) and the regulations under that Act;
- (c) “reflective markings” means retroreflective sheeting, reflex reflectors or a combination of retroreflective sheeting and reflex reflectors that conform to the standards provided for under the federal legislation for retroreflective sheeting and reflex reflectors;
- (d) “trailer” means a trailer that
 - (i) has a gross vehicle weight rating of more than 4536 kilograms, and
 - (ii) is 2.05 metres or greater in overall width,

but does not include a trailer used or intended for use exclusively as living quarters for a person or as a business office or as both living quarters and a business office.

Government Organization Act

11 Amends chapter G-8.5 of the Statutes of Alberta, 1994. Section 1 of Schedule 8 presently reads in part:

(2) There shall be a Joint Board of Practice composed of

(a) 4 persons appointed by the Council of the Architects Association, and

(b) 4 persons appointed by the Council of the Engineers Association,

and a chairman appointed by the Minister from among candidates mutually agreed to by both councils.

Highway Traffic Act

12(1) Amends chapter H-7 of the Revised Statutes of Alberta 1980.

(2) Trailers to be equipped with a conspicuity system.

(2) A trailer manufactured prior to December 1, 1993 shall, on and after January 1, 2002, be equipped with a conspicuity system so that the trailer, with respect to a conspicuity system, conforms to the same requirements as prescribed under the federal legislation for trailers manufactured after January 24, 1997.

(3) A trailer manufactured on or after December 1, 1993 shall, on and after January 1, 2000, be equipped with a conspicuity system so that the trailer, with respect to a conspicuity system, conforms to the same requirements as prescribed under the federal legislation for trailers manufactured after January 24, 1997.

Hydro and Electric Energy Act

Amends RSA
1980 cH-13

13(1) The *Hydro and Electric Energy Act* is amended by this section.

(2) Section 7 is amended

(a) by repealing subsections (4) and (5);

(b) in subsection (7) by striking out “subsections (3) and (4)” and substituting “subsection (3)”;

(c) by repealing subsection (10) and substituting the following:

(10) On Royal Assent being given to a Bill for the authorization of an order of the Board for the construction of a hydro development, the Board shall, by order, approve the construction of the hydro development and may make its approval subject to any conditions that it is empowered to impose under this Act and the regulations.

Hydro Electric Energy Act

13(1) Amends chapter H-13 of the Revised Statutes of Alberta 1980.

(2) Section 7 presently reads in part:

7(1) No person shall construct a hydro development unless the Board, by order, has approved the construction of the hydro development in accordance with this section.

(2) When a person proposes to construct a hydro development, he shall apply to the Board for an order approving the construction of the hydro development.

(3) When the Board receives an application for an order approving the construction of a hydro development, the Board shall make any investigation, make any inquiry and hold any hearings it considers necessary or desirable in connection with the application.

(4) During any investigation, inquiry and hearing under subsection (3), the Board shall refer the application for an order for the construction of the hydro development to

(a) the Minister of Environmental Protection, and

(b) the Minister responsible for the Public Lands Act,

for their approval with respect to the application as it affects matters of the environment.

(5) The Minister of Environmental Protection and the Minister responsible for the Public Lands Act, or either of them, may give their approval with or without conditions, but when conditions are imposed, the Board shall, if it approves the construction of the hydro development pursuant to subsection (10), make its order subject to

(3) Section 9(3) and (5) are repealed.

(4) Section 13 is repealed.

the same conditions imposed by the Minister of Environmental Protection or the Minister responsible for the Public Lands Act, or both of them, when they gave their approval.

(10) On a Bill for the authorization of an order of the Board for the construction of a hydro development receiving Royal Assent, the Board shall, by order, approve the construction of the hydro development but shall make its approval in accordance with subsection (5) and may make its approval subject to any other conditions that it is empowered to impose under this Act and the regulations.

(3) Section 9(3) and (5) presently read:

(3) Prior to the Board approving the construction and operation of the power plant, it shall refer the application to the Minister of Environmental Protection for his approval of the application as it affects matters of the environment.

(5) The Minister of Environmental Protection may give his approval with or without conditions, but when conditions are imposed, the Board shall, if it approves the construction and operation of the power plant, make its order subject to the same conditions imposed by the Minister of Environmental Protection when he gave his approval.

(4) Section 13 presently reads:

13(1) The Board shall refer an application for a permit or an amendment of a permit to

(a) the Minister of Environmental Protection, and

(b) if Crown land is affected, the Minister responsible for the Public Lands Act

for their approval of the application as it affects matters of the environment.

(2) The Minister of Environmental Protection and the Minister responsible for the Public Lands Act, or either of them, may give their approval with or without conditions, but when conditions are imposed, the Board shall, if it grants a permit or an amendment of a permit, make the permit or amendment subject to the same conditions imposed by the Minister of Environmental Protection or the Minister responsible for the Public Lands Act, or both of them, when they gave their approval.

(3) Notwithstanding subsection (1), the Minister of Environmental Protection or Minister responsible for the Public Lands Act may direct that

(a) an application, or

(b) a type of application

for a permit or an amendment of a permit specified by him be not referred to him.

(5) Section 18(3) is repealed.

Municipal Government Act

Amends SA
1994 cM-26.1

14 The *Municipal Government Act* is amended

- (a) by repealing section 97.1;**
- (b) in section 362(1)(c) by repealing subclause (i) and substituting the following:**
 - (i) the board of trustees of a school district, school division or regional division,
 - (i.1) the Regional authority for a Francophone Education Region established under the *School Act*,
 - (i.2) the operator of a charter school established under the *School Act*, or
- (c) in section 616 by repealing clause (bb) and substituting the following:**
 - (bb) “school authority” means the board of trustees of a school district, school division or regional division;

Off-highway Vehicle Act

Amends RSA
1980 cO-4

15(1) The *Off-highway Vehicle Act* is amended by this section.

(2) Section 18(2) is amended by adding the following after clause (a):

- (a.1) the Minister of Environmental Protection may by order authorize persons to operate off-highway vehicles along any portion of any highway or class of highway under that Minister’s direction, control and management, subject to any restrictions and conditions the Minister of Environmental Protection may prescribe,

(4) The Minister of Environmental Protection or the Minister of responsible for the Public Lands Act, as the case may be, may authorize an officer of his department to exercise the powers conferred n him by this section.

(5) Section 18(3) presently reads:

(3) Notwithstanding sections 7(5) and (10), 9(5) and 13(2), the Board is not required to impose the conditions specified by the Minister of Environmental Protection or the Minister responsible for the Public Lands Act when the Lieutenant Governor in Council directs that the conditions are not to be imposed.

Municipal Government Act

14 Amends chapter M-26.1 of the Statutes of Alberta, 1994.

Off-highway Vehicle Act

15(1) Amends chapter O-4 of the Revised Statutes of Alberta 1980.

(2) Section 18(2) presently reads in part:

(2) Notwithstanding subsection (1),

(a) the Minister of Transportation and Utilities may by order authorize persons to operate off-highway vehicles along any portion of any highway or class of highway under his direction, control and management, subject to any restrictions and conditions the Minister of Transportation and Utilities may prescribe,

Oil Sands Conservation Act

Amends SA
1983 cO-5.5

16(1) The *Oil Sands Conservation Act* is amended by this section.

(2) Section 12 is repealed.

(3) Section 14(3) is repealed.

Oil Sands Conservation Act

16(1) Amends chapter O-5.5 of the Statutes of Alberta, 1983.

(2) Section 12 presently reads:

12(1) The Board shall refer an application made under section 10 or 11 to

- (a) the Minister of Environmental Protection for his approval of the application as it affects matters of the environment, and*
- (b) the Minister responsible for the Public Lands Act for his approval of the application as it affects land and resources that are the property of the Crown in right of Alberta.*

(2) The Minister of Environmental Protection and the Minister responsible for the Public Lands Act, or either of them, may give their approval of the application with or without conditions, but where conditions are imposed, the Board shall, unless otherwise directed by the Lieutenant Governor in Council, make its approval, if it grants an approval, subject to the conditions imposed by the Minister of Environmental Protection or the Minister of responsible for the Public Lands Act, or both of them.

(3) Notwithstanding subsection (1), the Minister of Environmental Protection or the Minister responsible for the Public Lands Act may direct that

- (a) an application, or*
- (b) a type of application*

for an approval under section 10 or 11 or an amendment or type of amendment of an approval be not referred to him.

(4) The Minister of Environmental Protection or the Minister responsible for the Public Lands Act may authorize an employee of his department to exercise the powers conferred on him by this section.

(3) Section 14(3) presently reads:

(3) The approval of the Minister of Environmental Protection and the Minister responsible for the Public Lands Act is required in respect of an amendment under this section unless an approval was not required in respect of the application under section 12.

(4) Section 19(2) and (3) are repealed and the following is substituted:

(2) The Board shall refer a scheme prepared under subsection (1) to the Minister of Energy for the Minister's approval insofar as the scheme affects mines and minerals that are the property of the Crown in right of Alberta.

(3) The Minister of Energy may approve a scheme with or without conditions.

Pharmaceutical Profession Act

Amends SA
1988 cP-7.1

17(1) The *Pharmaceutical Profession Act* is amended by this section.

(2) Section 90(1)(dd) is repealed.

(3) Section 92 is amended

(a) by renumbering it as section 92(1);

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

(a) designating a drug as a drug in Schedule 1, 2 or 3,
and

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

(2) If a list in an enactment of Alberta or of another jurisdiction, or a code, standard or list published by an organization, designates drugs, and copies of the enactment, code, standard or list are readily available and the Minister has consulted with the Council, the Lieutenant Governor in Council may, by regulation, declare the list in the enactment or the code, standard or list to be in force in whole or in part or with any variations that the Lieutenant

(4) Section 19(2) and (3) presently read:

(2) *The Board shall refer a scheme prepared under subsection (1) to*

(a) *the Minister of Energy for his approval insofar as the scheme affects mines and minerals that are the property of the Crown in right of Alberta, and*

(b) *the Minister responsible for the Public Lands Act for his approval insofar as the scheme affects the surface of land that is the property of the Crown in right of Alberta.*

(3) *The Minister of Energy and the Minister responsible for the Public Lands Act, or either of them, as the case may be, may approve a scheme with or without conditions.*

Pharmaceutical Profession Act

17(1) Amends chapter P-7.1 of the Statutes of Alberta, 1988.

(2) Section 90(1) presently reads in part:

90(1) The Council may make regulations

(dd) adding a drug to Schedule 1 or 2;

(3) Section 92 presently reads:

92 The Lieutenant Governor in Council may, after consultation with the Council, make regulations

(a) adding a drug to Schedule 2 or 3, and

(b) removing a drug from Schedule 1, 2 or 3.

Governor in Council specifies in addition to or instead of a regulation under subsection (1).

(3) Notwithstanding subsections (1) and (2), a regulation under this section with respect to a drug described in section 2(1)(a), (b) or (c) of Schedule 1 is invalid.

(4) If a regulation under subsection (2) purports to add a drug to Schedule 2 or 3 that is not currently a drug in Schedule 1, 2 or 3, the regulation is invalid with respect to the purported addition.

(4) Schedule 1 is amended in section 2(1) by adding the following after clause (c):

(c.1) drugs designated as Schedule 1 drugs by regulation under section 92;

(5) Schedule 2 is amended by adding the following after section 2:

2.1 The drugs in this Schedule include drugs designated as Schedule 2 drugs by regulation under section 92.

(6) Schedule 3 is amended by adding the following after section 2:

2.1 The drugs in this Schedule include drugs designated as Schedule 3 drugs by regulation under section 92.

Pipeline Act

Amends RSA
1980 cP-8

18(1) The *Pipeline Act* is amended by this section.

(2) Section 8 is repealed.

(4) Consequential.

(5) Consequential.

(6) Consequential.

Pipeline Act

18(1) Amends chapter P-8 of the Revised Statutes of Alberta 1980.

(2) Section 8 presently reads:

8(1) The Board shall refer an application for a permit or an amendment of a permit to the Minister of Environmental Protection and the Minister responsible for the Public Lands Act for their approval of the application as it affects matters of environment.

(2) The Minister of Environmental Protection and the Minister responsible for the Public Lands Act or either of them may give their approval with or without conditions, but when conditions are imposed, the Board shall, if it grants a permit or an amendment of a permit, make the permit or amendment subject to the same conditions imposed by the Minister of Environmental Protection or the Minister responsible for the Public Lands Act, or both of them, in giving their approval.

**Police Officers Collective
Bargaining Act**

Amends SA
1983 cP-12.05

19(1) The *Police Officers Collective Bargaining Act* is amended by this section.

(2) Section 12(3) is repealed and the following is substituted:

(3) The remuneration and expenses of the persons appointed under subsection (1) or (2) or section 11 shall be paid,

(a) in the case of a person who was appointed or who should have been appointed individually by a party, by that party, and

(b) in the case of the chairman, jointly by the parties.

**Protection of Children Involved
in Prostitution Act**

Amends SA
1998 cP-19.3

20(1) The *Protection of Children Involved in Prostitution Act* is amended by this section.

(2) Section 2(10) is amended by striking out “confine” and substituting “confine for up to 72 hours”.

(3) Section 3(2) is amended by striking out “3 days after the apprehension” and substituting “72 hours after the confinement”.

(4) The *Child Welfare Act* is amended in section 19(1.1) by striking out “3 days of being apprehended” and substituting “72 hours of being confined”.

(3) Notwithstanding subsection (1), the Minister of Environmental Protection or the Minister responsible for the Public Lands Act may direct that an application for a permit or for an amendment of a permit for any pipeline or any type of pipeline specified by him be not referred to him.

(4) The Minister of Environmental Protection or the Minister responsible for the Public Lands Act may authorize an officer of his department to exercise the powers conferred on him by this section.

Police Officers Collective Bargaining Act

19(1) Amends chapter P-12.05 of the Statutes of Alberta, 1983.

(2) Section 12(3) presently reads:

(3) The remuneration and expenses of the persons appointed under subsection (1) or (2) or section 11 shall be paid

(a) in the case of a person appointed by a party to a dispute, by that party, and

(b) in the case of the chairman or a person appointed by the Minister, by the Government.

Protection of Children Involved in Prostitution Act

20(1) Amends chapter P-19.3 of the Statutes of Alberta, 1998.

(2) Section 2(10) presently reads:

(10) Notwithstanding subsection (1)(b), a director may confine a child conveyed to a protective safe house under subsection (9) if the director considers it necessary in order to ensure the safety of the child and to assess the child.

(3) Section 3(2) presently reads:

(2) If a child is confined and is neither returned under subsection (1)(b)(i) nor released under subsection (1)(b)(ii) within 3 days after the apprehension under section 2, a director must apply to the Court under section 19 of the Child Welfare Act for a supervision order, a temporary or permanent guardianship order or an order returning the child to the custody of the child's guardian.

(4) Amends chapter C-8.1 of the Statutes of Alberta, 1984. Section 19(1.1) presently reads:

(1.1) If a child is apprehended under the Protection of Children Involved in Prostitution Act, conveyed to a protective safe house as

Public Utilities Board Act

Amends RSA
1980 cP-37

21(1) The *Public Utilities Board Act* is amended by this section.

(2) Section 27 is repealed.

(3) Section 99 is repealed and the following is substituted:

Union of
utilities

99(1) The Lieutenant Governor in Council may by regulation designate those owners of public utilities to which this section applies.

(2) When, by a general or special Act, an owner of a public utility that is the subject of a designation under subsection (1) is authorized to unite with the owner of any other public utility, whether or not the owner of that other public utility is the subject of such a designation, the union has no effect unless it is first approved by the Board and published in The Alberta Gazette.

defined in that Act and confined and is not, within 3 days of being apprehended,

(a) released, or

(b) returned to the custody of the child's guardian or to an adult who in the opinion of a director is a responsible adult who has care and control of the child,

the director must apply in the prescribed form to the Court for a supervision order, a temporary or permanent guardianship order or an order returning the child to the custody of the child's guardian.

Public Utilities Board Act

21(1) Amends chapter P-37 of the Revised Statutes of Alberta 1980.

(2) Section 27 presently reads:

27 The Board shall, on or before March 31 in each year, transmit to the President of the Executive Council for the year ending on the preceding December 31, a report showing briefly

(a) the applications to the Board and summaries of the findings made thereon,

(b) the number and nature of the inquiries that it has held of its own motion, and

(c) any other matters that the Lieutenant Governor in Council directs.

(3) Section 99 presently reads:

99 When, by a general or special Act, an owner of a public utility is authorized to unite with the owner of any other public utility, the union is subject to the consent of the Board, and has no effect until the order authorizing it is published in The Alberta Gazette.

Residential Tenancies Act

Amends RSA
1980 cR-15.3

22 The *Residential Tenancies Act* is amended in section 50(1) by adding the following after clause (a):

(a.1) this Act as described in section 4.1(2),

Safety Codes Act

Amends SA
1991 cS-0.5

23(1) The *Safety Codes Act* is amended by this section.

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

(c.1) “accredited regional services commission” means a regional services commission established under the *Municipal Government Act* that is designated as an accredited regional services commission under this Act;

(3) Section 12 is amended

(a) in subsection (1) by adding “accredited regional services commissions or their employees or officers,” before “accredited agencies”;

(b) in subsection (2) by striking out “municipality” and substituting “municipality, an accredited regional services commission”;

(c) in subsection (3) by striking out “Crown and an accredited municipality that engages” and substituting “Crown and an accredited municipality and an accredited regional services commission that engage”.

Residential Tenancies Act

22 Amends chapter R-15.3 of the Revised Statutes of Alberta 1980. Section 50(1)(a) presently reads:

50(1) A person who contravenes

(a) section 4.1(3), 15.1, 17, 18, 37, 37.1(1) or (3), 38 or 39(1) or (4.1),

is guilty of an offence and liable to a fine of not more than \$5000.

Safety Codes Act

23(1) Amends chapter S-0.5 of the Statutes of Alberta, 1991.

(2) Definition.

(3) Section 12 presently reads:

12(1) No action lies against the Crown, the Council, members of Council, safety codes officers, accredited municipalities or their employees or officers, accredited agencies or their employees or officers or Administrators for anything done or not done by any of them in good faith while exercising their powers and performing their duties under this Act.

(2) The Crown, an accredited municipality and an accredited agency acting in good faith under this Act are not liable for any damage caused by a decision related to the system of inspections, examinations, evaluations and investigations, including but not limited to a decision relating to their frequency and the manner in which they are carried out.

(3) The Crown and an accredited municipality that engages the services of an accredited agency are not liable for any negligence or nuisance of the accredited agency that causes an injury, loss or damage to any person or property.

(4) Subject to this section, nothing done pursuant to this Act affects the liability of any person for injury, loss or damage caused by any thing, process or activity to which this Act applies.

(4) Section 13(1) is amended

(a) by striking out “municipality and” and substituting “municipality, an accredited regional services commission and”;

(b) by striking out “municipality or” and substituting “municipality, accredited regional services commission or accredited”.

(5) Sections 21.2(2) and 21.3(2) are amended by adding “accredited regional services commission,” after “municipality,” wherever it occurs.

(6) The following is added after section 23:

Accredited
regional
services
commission

23.1(1) On the application of a regional services commission established under the *Municipal Government Act*, the Minister may, by order, designate a regional services commission as an accredited regional services commission authorized to administer all or part of this Act with respect to any or all things, processes or activities to which this Act applies within the boundaries of its members.

(2) The Minister may include terms and conditions in an order under this section.

(4) Section 13(1) presently reads:

13(1) The Minister administers this Act but an accredited municipality and an accredited corporation shall provide for the administration of this Act in accordance with the order that designated it as an accredited municipality or corporation.

(5) Sections 21.2 and 21.3 presently read:

21.2(1) The Council may, with the approval of the Minister, for the purpose of enabling the Council to carry out activities and services it is directed or authorized to carry out under this Act, collect money by the levy of assessments on persons who apply for, or hold, certificates or permits or who apply to register, or register, designs.

(2) The Council may require an accredited municipality, accredited corporation, accredited agency or other organization that issues certificates or permits or registers designs to collect the money referred to in subsection (1) and to remit it to the Council.

21.3(1) An accredited agency may, with the approval of the Minister, for the purpose of enabling the accredited agency to carry out activities and services it is directed or authorized to carry out under this Act, collect money by the levy of assessments on persons who apply for, or hold, certificates or permits or who apply to register, or register, designs.

(2) An accredited agency may, with the approval of the Minister, require an accredited municipality, accredited corporation, accredited agency or other organization that issues certificates or permits or registers designs, to collect the money referred to in subsection (1), and the accredited municipality, accredited corporation, accredited agency or other organization shall collect the money and remit it as directed by the accredited agency.

(6) Accredited regional services commission.

(3) If the Minister, on reasonable and probable grounds, is of the opinion that an accredited regional services commission does not comply with the requirements of this Act or the terms and conditions of its designation, or that any thing, process or activity to be administered by the accredited regional services commission may constitute a serious danger to persons or property, the Minister may

- (a) request the board of directors of the accredited regional services commission to take the action necessary to correct the situation;
- (b) direct a safety codes officer appointed under section 29(1) to undertake the administration of this Act on behalf of that accredited regional services commission and to charge fees, in the amount provided for by the regulations,
 - (i) to the accredited regional services commission for any permit issued by the safety codes officer and for any material or service that is provided by the safety codes officer,
 - (ii) to the owner of a premises or place for any material or services provided by the safety codes officer, and
 - (iii) to the recipient of any permit issued by the safety codes officer;
- (c) by order, cancel or suspend the regional services commission's designation as an accredited regional services commission.

(4) An order under this section must be published in The Alberta Gazette.

(5) The Minister may delegate any or all of the Minister's powers under this section to the Council, and if the Council refuses to designate a regional services commission as an accredited regional services commission or cancels or suspends the designation of an accredited regional services commission, the regional services commission may appeal the refusal, cancellation or suspension to the Minister.

(7) Section 25(1) is amended

(7) Section 25(1) presently reads:

25(1) If an accredited municipality and an accredited corporation are authorized to administer the same part of this Act with respect to the same thing, process or activity at the same location, the

(a) by striking out “an accredited municipality” and substituting “an accredited municipality, an accredited regional services commission”;

(b) by striking out “the accredited municipality” and substituting “the accredited municipality, the accredited regional services commission”.

(8) Section 29 is amended by adding the following after subsection (2):

(2.1) An accredited regional services commission shall provide for safety codes officers for the purpose of administering all or part of this Act that it is authorized to administer.

(9) Section 33(1) is amended by striking out “Administrator or accredited municipality” and substituting “Administrator, accredited municipality or accredited regional services commission”.

(10) Section 45 is amended

(a) by adding the following after subsection (4):

(4.1) A person who is served with an order under subsection (4) may, within 14 days of being served, submit a written request to the Administrator for a review of the order.

Minister may direct whether the accredited municipality or the accredited corporation may administer this Act with respect to that thing, process or activity.

(8) Section 29 presently reads:

29(1) In accordance with the Public Service Act, there may be appointed safety codes officers for the administration of all or part of this Act anywhere in Alberta.

(2) A local authority shall provide for safety codes officers for the purpose of administering all or part of this Act that an accredited municipality is authorized to administer.

(3) An accredited corporation shall provide for safety codes officers for the purpose of administering all or part of this Act that it is authorized to administer.

(4) An accredited agency shall provide for safety codes officers for the purposes of providing services under this Act that it is authorized to provide.

(9) Section 33(1) presently reads:

33(1) If a person refuses to allow a safety codes officer to exercise his powers under this Act or interferes or attempts to interfere with a safety codes officer in the exercise of his powers under this Act, an Administrator or accredited municipality may apply to the Court of Queen's Bench by way of originating notice for an order

(a) restraining that person from preventing or in any manner interfering with a safety codes officer in the exercise of his powers under this Act, and

(b) for the purposes of providing protection, authorizing a police officer to accompany the safety codes officer on an inspection, review, examination or evaluation under this Act.

(10) Section 45 presently reads in part:

(4) On issuing an order, the safety codes officer shall serve a copy on the person to whom it is issued in accordance with the regulations and send a copy of it to an Administrator in a form and within the time satisfactory to the Administrator.

(5) If an Administrator receives a request from a person on whom an order is served and if the Administrator considers that the order

(b) in subsection (5) by striking out “request” and substituting “request, in accordance with subsection (4.1),”.

(11) Section 46 is amended

(a) in subsection (1) by striking out “30 days” and substituting “35 days”;

(b) in subsection (2)

(i) by striking out “municipality if” and substituting “municipality or accredited regional services commission if”;

(ii) by striking out “municipality, and” and substituting “municipality or accredited regional services commission, and”;

(iii) by striking out “Administrator, the accredited municipality and the appellant” and substituting “Administrator and appellant and the accredited municipality or accredited regional services commission”;

(c) in subsection (3) by striking out “under section 45(5)” and substituting “in accordance with section 45(4.1)”.

(12) Section 48(5) is amended by striking out “municipality” and substituting “municipality, accredited regional services commission”.

(13) Section 49(2)(b)(ii) is amended by striking out “Administrator or an accredited municipality” and substituting “Administrator, accredited municipality or accredited regional services commission”.

- (a) is improper, impractical or unreasonable,*
- (b) contains incorrect references or typographical errors, or*
- (c) does not correct or satisfy concerns about safety,*

the Administrator may, by order, revoke or vary the original order within 21 days of when the original order was served.

(11) Section 46 presently reads:

46(1) A person to whom an order is issued may, if the person objects to the contents of the order, appeal the order to the Council in accordance with the Council's by-laws within 30 days of the date the order was served on the person.

(2) The Council, on receipt of a notice of appeal, shall send a copy to an Administrator and also to an accredited municipality if the subject-matter of the order is administered by the accredited municipality, and the Council shall notify the Administrator, the accredited municipality and the appellant of the time and place of the appeal.

(3) An appeal may proceed under this section regardless of whether a request was made under section 45(5).

(12) Section 48(5) presently reads:

(5) The Council shall serve a copy of its order on the appellant and the Administrator and on the accredited municipality and safety codes officer if they were sent a copy of the notice of appeal.

(13) Section 49(2)(b) presently reads:

(2) An appeal under this section may be commenced within 30 days after receipt of service of the Council's decision

(b) by serving a copy of the originating notice

(i) on the Council if the appellant is the person to whom the order under appeal is directed, or

(ii) on the Council and on the person to whom the order under appeal is directed if the appellant is an Administrator or an accredited municipality.

(14) Section 51(1) is amended

- (a) by striking out “29(2)” and substituting “29(2) or (2.1)”;**
- (b) in clauses (a) and (b) by adding “or accredited regional services commission” after “accredited municipality”.**

(15) Section 52(1)(a) is amended by adding “or an accredited regional services commission” after “accredited municipality”.

(14) Section 51(1) presently reads:

51(1) A safety codes officer appointed under section 29(2), together with any person who is necessary, may enter, at any reasonable time, any premises or place for the purpose of carrying out an order unless the owner refuses to allow or interferes with the entry or the carrying out of an order

- (a) if a person to whom the order is issued under section 45, 48 or 49 with respect to any thing, process or activity under the administration of an accredited municipality does not commence an appeal of the order within the time set out for the commencement of the appeal and the order is not carried out within the time set out in the order, and*
- (b) if the owner of the land concerned as registered under the Land Titles Act or, in the case of Metis patented land, the settlement member registered in the Metis Settlements Land Registry as owner of the Metis title, provisional Metis title or an allotment in the land has been given written notice of the intention of the accredited municipality to carry out the order.*

(15) Section 52(1) presently reads:

52(1) An Administrator or a safety codes officer appointed under section 29(1) and designated by the Administrator, together with any person who is necessary, may enter, at any reasonable time, any premises or place for the purpose of carrying out an order unless the owner refuses to allow or interferes with the entry or the carrying out of an order

- (a) if a person to whom an order is issued under section 45, 48 or 49 with respect to a subject-matter that is not under the administration of an accredited municipality does not commence an appeal of the order within the time set out for the commencement of the appeal, and the order is not carried out within the time set out in the order, and*
- (b) if the owner of the land concerned as registered under the Land Titles Act or, in the case of Metis patented land, the person registered in the Metis Settlements Land Registry as owner of the Metis title, provisional Metis title or an allotment in the land and the persons named by the Minister under subsection (2) have been given written notice of the intention to carry out the order.*

(16) Section 53(1) is amended by striking out “Administrator or the accredited municipality” and substituting “Administrator, accredited municipality or accredited regional services commission”.

(17) Section 55 is amended by adding “or accredited regional services commission” after “municipality” wherever it occurs.

(18) Section 59 is amended

(a) in subsection (1) by adding “accredited regional services commissions,” after “accredited municipalities,”;

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

(1.1) Notwithstanding subsection (1),

- (a) an accredited regional services commission must, on request by a municipality, release information to the municipality with respect to the administration of this Act within the municipality, and**
- (b) an accredited agency must, on request by a municipality, release information to the municipality with respect to the administration of this Act within the municipality.**

(16) Section 53(1) presently reads:

53(1) If a person refuses to allow an Administrator or a safety codes officer or a person lawfully accompanying either of them to carry out an order under section 51 or 52 or interferes with or attempts to interfere with the carrying out of that order, the Administrator or the accredited municipality, as the case may be, may, whether or not that person has been prosecuted under section 63(1) or 63(4)(c) or (d), apply to the Court of Queen's Bench by way of originating notice for an order

- (a) requiring that person to comply with the order issued under this Act, or*
- (b) restraining that person from interfering in any manner with the carrying out of an order in accordance with section 51 or 52.*

(17) Section 55 presently reads:

55 If there is an unsafe condition, accident or fire that involves a thing, process or activity to which this Act applies, the owner or person designated in the regulations shall, if required by the regulations, forthwith report it to an Administrator, or to the accredited municipality if the thing, process or activity is under the administration of the accredited municipality.

(18) Section 59(1) presently reads:

59(1) The Minister, members of the Council, Administrators, accredited municipalities, accredited corporations, accredited agencies, safety codes officers and any person employed in the administration of this Act shall preserve confidentiality with respect to all information and documents that come to their knowledge from employment in the administration of this Act except

- (a) with the consent of the owner of the thing, process or activity that is the subject-matter of the information,*
- (b) if the information is published in statistical form whereby no place or premises is readily identified, unless the regulations authorize their identification,*
- (c) if the release of information or a document is required by an order of a court,*
- (d) if the release of information or a document is required by another Act, or*
- (e) if the release of information or a document is authorized by this Act.*

(19) Section 61 is amended

- (a) in subsection (1)(p) by striking out** “corporations and agencies” **and substituting** “accredited regional services commissions, accredited corporations and accredited agencies”;
- (b) in subsection (2)(j) by striking out** “corporations or agencies” **and substituting** “accredited regional services commissions, accredited corporations or accredited agencies”.

Social Work Profession Act

Amends SA
1991 cS-16.5

24(1) The *Social Work Profession Act* is amended by this section.

(2) Section 12 is amended by adding the following after subsection (1):

(1.1) The Registrar must approve an application for registration as a registered social worker, if the applicant

- (a)** applies for registration under this subsection as a registered social worker on or after September 1, 1999 but before September 1, 2000;
- (b)** satisfies the Registrar that the applicant is actively engaged in social work in Alberta;
- (c)** provides to the satisfaction of the Registrar 2 references from registered social workers attesting to the applicant’s social work practice;
- (d)** meets the character, reputation and other requirements, except the academic qualification requirements, set out in the regulations for all applicants for registration.

(1.2) A person registered under subsection (1.1) must within 2 years of being registered, complete to the satisfaction of the Registrar additional training in social work ethics and standards of practice for social workers in Alberta.

(1.3) If a person registered under subsection (1) does not comply with subsection (1.2), it is deemed that the Registrar has made a decision to cancel the registration and annual

(19) Section 61 presently reads in part:

61(1) The Lieutenant Governor in Council may make regulations

(p) governing accredited municipalities, corporations and agencies.

(2) If a code, standard or body of rules relating to

(j) accredited municipalities, corporations or agencies,

Social Work Profession Act

24(1) Amends chapter S-16.5 of the Statutes of Alberta, 1991.

(2) Section 12 presently reads:

12(1) An application for registration as a registered social worker shall be approved by the Registrar if the applicant

(a) produces documentation satisfactory to the Registrar that shows that

(i) the applicant has obtained an undergraduate degree or diploma in social work from an approved social work program, or

(ii) the Universities Co-ordinating Council is satisfied that the applicant has a combination of academic qualifications and practical experience that is substantially equivalent to the qualifications required for an undergraduate degree or diploma in social work from an approved social work program or that is otherwise suitable to enable the applicant to practise as a registered social worker,

(b) has completed any term of practical experience set by the Universities Co-ordinating Council,

(c) has passed the examination, if any, approved by the Universities Co-ordinating Council, and

(d) meets the character and other requirements prescribed in the regulations.

(2) Notwithstanding subsection (1), the Registrar shall approve an application for registration as a registered social worker if the applicant

certificate in accordance with section 15 two years after the date of the registration was approved under subsection (1.1).

Vital Statistics Act

Amends RSA
1980 cV-4

25(1) The *Vital Statistics Act* is amended by this section.

(2) Section 9 is amended by adding the following after subsection (2):

(2.1) Notwithstanding subsection (2)(b)(ii) or (iii), where there is an adoption by a step-parent under the *Child Welfare Act*, the substituted registration of adoption may show, at the request of the adopting parent, the adopting parent as a parent of the adopted person, together with particulars pertaining to the adopting parent.

Wildlife Act

Amends SA
1984 cW-9.1

26(1) The *Wildlife Act* is amended by this section.

(2) Sections 6 and 7 are repealed.

- (a) *produces documentation satisfactory to the Registrar showing that he was eligible for membership in the Association as a registered social worker on the date on which this Act came into force, and*
- (b) *applies under this Act for registration as a registered social worker within 2 years after this Act comes into force.*

Vital Statistics Act

25(1) Amends chapter V-4 of the Revised Statutes of Alberta 1980.

(2) Section 9 presently reads in part:

9(1) On receipt of a certified copy of an order of adoption transmitted under the Child Welfare Act or Adult Adoption Act, the Director shall register the adoption by endorsing his signature on the copy and thereupon the copy constitutes the registration of the adoption.

(2) If, at the time of the registration of the adoption, or at any time thereafter, there is in the office of the Director a registration of the birth of the person adopted, the Director, on production of evidence satisfactory to him of the identity of the person shall

- (a) *delete the original registration from the registration files, and*
- (b) *substitute a registration of adoption in accordance with the facts contained in the order of adoption showing*
 - (i) *the date and the place of birth of the adopted person recorded in the original registration,*
 - (ii) *as the father of the adopted person, the adopting father, together with particulars pertaining to him, and*
 - (iii) *as the mother of the adopted person, the adopting mother, together with the particulars pertaining to her.*

Wildlife Act

26(1) Amends chapter W-9.1 of the Statutes of Alberta, 1984.

(2) Sections 6 and 7 presently read:

6 The Fish and Wildlife Trust Fund is continued for the attainment of the purposes prescribed by the Lieutenant Governor in Council and of all or any of the following purposes:

(a) funding programs, projects or services prescribed by the Lieutenant Governor in Council directly or indirectly relating to

(i) with respect to wildlife, fish and endangered species and their habitats,

(A) their protection and enhancement in Alberta,

(B) promotion of their conservation,

(C) increasing public awareness of them, including provision of public education in their management and protection, and

(D) the enforcement of legislation directed towards their protection and management;

(ii) the promotion and enhancement of and operation of programs for

(A) education on outdoor recreation associated with enjoyment of live subject animals, endangered species and other natural resources and lawful hunting, fishing and camping, and

(B) safety and awareness in connection with any such matters;

(iii) the enforcement of legislation respecting public safety in the outdoors in connection with matters referred to in subclause (ii)(A);

(a.1) funding the program established under section 5(1);

(b) providing compensation, in accordance with programs, projects or services prescribed by the Lieutenant Governor in Council, for

(i) damage or loss caused by wildlife and measures taken to prevent such damage or loss,

(ii) damage or loss occasioned to livestock as a result of the use of a weapon during an open season, and

(iii) damage to traplines, and

(c) promoting the use and development of humane traps, including the establishment and operation of educational programs to those ends.

7(1) The following shall be paid into the Fish and Wildlife Trust Fund:

(a) donations and bequests made to the Fund or that are or have been made to the Government for any of the purposes for which the Fund is established,

(3) Section 64(2) is amended by striking out “450” and substituting “495”.

(4) Section 93.5(1) is amended

(a) in clause (a)

(i) by striking out “into the Fish and Wildlife Trust Fund”;

(ii) by striking out “regulations” and substituting “Minister”;

(b) in clause (b) by striking out “Fund” and substituting “program or subprogram”.

- (b) payments referred to in section 93.5,*
 - (c) the whole or any prescribed portion of any fees and assessments paid under this Act that are prescribed as payable into the Fund,*
 - (d) income accruing to the Fund,*
 - (e) the net proceeds from a sale or disposal under section 76(1)(a), and*
 - (f) money that accrues from any other programs of the Government, including programs conducted under agreements with other governments, established or entered into for any of the purposes for which the Fund is established.*
- (2) The Minister may make payments out of the Fish and Wildlife Trust Fund for*
- (a) meeting any of the purposes for which the Fund is established,*
 - (b) meeting the expenses of operating the Fund, or*
 - (c) transferring to the Consolidated Cash Investment Trust Fund money that is not immediately required for purposes mentioned in clause (a) or (b).*
- (3) Money donated or bequeathed to the Fund is subject to any terms and conditions stipulated by the person donating or bequeathing the money.*

(3) Section 64(2) presently reads:

(2) Notwithstanding subsection (1), a wildlife guardian shall not exercise the powers of arrest given to a peace officer by section 450 of the Criminal Code (Canada) as adopted by the Provincial Offences Procedure Act.

(4) Section 93.5(1) presently reads:

93.5(1) Where the court makes an order under section 93.4(d) or (f) directing a person to pay money,

- (a) the money is to be paid into the Fish and Wildlife Trust Fund for the benefit of the program or subprogram established by the regulations that the Minister considers is most appropriate having regard to the nature of the offence, and*
- (b) the amount due and any interest payable by law on it constitute a debt due to the Crown in trust for that Fund and may be recovered as such.*

(5) Section 97(1)(a) is repealed.

(5) Section 97(1) presently reads in part:

97(1) The Lieutenant Governor in Council may make regulations

*(a) respecting the operation and administration of the Fish
and Wildlife Trust Fund;*