

1999 BILL 46

Third Session, 24th Legislature, 48 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 46

**MISCELLANEOUS STATUTES AMENDMENT
ACT, 1999 (NO. 2)**

THE MINISTER OF JUSTICE AND
ATTORNEY GENERAL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 46

1999

MISCELLANEOUS STATUTES AMENDMENT ACT, 1999 (NO. 2)

(Assented to _____, 1999)

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

Agricultural Societies Act

Amends RSA
1980 cA-12

**1 The *Agricultural Societies Act* is amended by
repealing section 1(a) and substituting the following:**

- (a) "Director" means the person designated by the Minister as
the Director for the purposes of this Act;

Alberta Health Care Insurance Act

Amends RSA
1980 cA-24

**2(1) The *Alberta Health Care Insurance Act* is amended by
this section.**

(2) Section 1 is amended

- (a) in clause (a.1)(ii) by striking out "dental surgeon" and
substituting "dentist";

(b) in clause (h)

- (i) by striking out "dental surgeon" and substituting
"dentist";

- (ii) in subclause (ii) by striking out "dental surgery"
and substituting "dentistry";

- (c) in clauses (n)(ii) and (x) by striking out "dental
surgeon" and substituting "dentist".

Explanatory Notes

Agricultural Societies Act

1 Amends chapter A-12 of the Revised Statutes of Alberta 1980.
Section 1(a) presently reads:

1 In this Act,

(a) "Director" means the Director of Agricultural Societies;

Alberta Health Care Insurance Act

2(1) Amends chapter A-24 of the Revised Statutes of Alberta 1980.

(2) Change in terminology.

(3) Section 5.1 is amended

(a) by striking out “dental surgeon” wherever it occurs and substituting “dentist”;

(b) in subsections (2)(c) and (4)(a) and (b) by striking out “dental surgeon’s” wherever it occurs and substituting “dentist’s”.

(4) Section 8(4) is amended

(a) in clause (b) by striking out “dental surgeon” and substituting “dentist”;

(b) by repealing clause (g.1);

(c) in clause (h)(i) by striking out “to (g.1)” and substituting “to (g)”.

(5) In the following provisions “dental surgeon” is struck out wherever it occurs and “dentist” is substituted:

section 5.05(1), (2) and (3);
section 5.2(1), (2) and (3);
section 5.3;
section 5.31(1)(a) and (b) and (2);
section 5.32(1) and (2);
section 5.4(1);
section 5.5(1).

Alberta Opportunity Fund Act

Amends RSA
1980 cA-34

3(1) The *Alberta Opportunity Fund Act* is amended by this section.

(2) Section 1(g) is repealed and the following is substituted:

(3) Change in terminology.

(4) Section 8(4)(b), (g.1) and (h)(i) presently read:

(4) In reassessing claims pursuant to subsection (2) the Minister may have regard to any report or recommendations of:

(b) the board of directors of The Alberta Dental Association, when the practitioner concerned is a dental surgeon;

(g.1) the Council of The College of Physical Therapists of Alberta, when the practitioner concerned is a physical therapist as defined in the regulations;

(h) any committee that

(i) is appointed by the board of directors or council of an organization referred to in clauses (a) to (g.1),

(5) Change in terminology.

Alberta Opportunity Fund Act

3(1) Amends chapter A-34 of the Revised Statutes of Alberta 1980.

(2) Section 1(g) presently reads:

1 In this Act,

(g) "Minister" means the Minister of Economic Development and Tourism.

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

Dependent Adults Act

Amends RSA
1980 cD-32

4 The *Dependent Adults Act* is amended in section 7(1) by adding “and” at the end of clause (b), striking out “and” at the end of clause (c) and repealing clause (d).

Fisheries (Alberta) Act

Amends SA
1992 cF-12.2

5(1) The *Fisheries (Alberta) Act* is amended by repealing section 19(2)(b).

(2) This section comes into force on Proclamation.

Forests Act

Amends RSA
1980 cF-16

6(1) The *Forests Act* is amended in section 3 by striking out “wildlife officers, all fishery officers and all park rangers” and substituting “conservation officers and all fishery officers”.

Dependent Adults Act

4 Amends chapter D-32 of the Revised Statutes of Alberta 1980. Section 7(1) presently reads:

7(1) The Court may appoint as a guardian of a dependent adult, any adult person who consents to act as guardian and in respect of whom the Court is satisfied that

- (a) he will act in the best interests of the dependent adult,*
- (b) he will not be in a position where his interests will conflict with the dependent adult's interests,*
- (c) he is a suitable person and is able to act as the guardian of the dependent adult, and*
- (d) he is a resident of Alberta.*

Fisheries (Alberta) Act

5(1) Amends chapter F-12.2 of the Statutes of Alberta, 1992. Section 19(2)(b) presently reads:

(2) The following are fishery officers by virtue of their office:

- (b) all park rangers appointed under the Provincial Parks Act;*

(2) Coming into force.

Forests Act

6(1) Amends chapter F-16 of the Revised Statutes of Alberta 1980. Section 3 presently reads:

3 All members of the Royal Canadian Mounted Police, all wildlife officers, all fishery officers and all park rangers

- (a) are by virtue of their office forest officers, and*
- (b) have the same powers that are conferred on a forest officer by law.*

(2) This section comes into force on Proclamation.

Government Organization Act

Amends SA
1994 cG-8.5

7(1) The *Government Organization Act* is amended in Schedule 5 by adding the following after section 6:

Appointment,
establishment
and functions
of conser-
vation officers

6.1(1) The Minister may appoint as conservation officers employees of the Crown who are subject to the *Public Service Act*.

(2) The following are conservation officers by virtue of their offices:

- (a) members of the Royal Canadian Mounted Police;
- (b) members of another police service specified in writing by the Minister;
- (c) fishery officers appointed under the *Fisheries Act* (Canada);
- (d) forest officers appointed under the *Forests Act*;
- (e) other peace officers specified in writing by the Minister.

(3) Conservation officers have the powers, duties and functions assigned to them by law.

(4) The Minister may in writing restrict or negate the jurisdiction relative to which a class of conservation officer referred to in subsection (2) is entitled to act under any law.

(5) A conservation officer, in the exercise of the powers and the execution of the duties of a conservation officer, is a person employed for the preservation and maintenance of the public peace.

(2) This section comes into force on Proclamation.

(2) Coming into force.

Government Organization Act

7(1) Amends chapter G-8.5 of the Statutes of Alberta, 1994.
Appointment, establishment and functions of conservation officers.

(2) Coming into force.

Health Professions Act

Amends SA
1999 cH-5.5

8(1) The *Health Professions Act* is amended by this section.

(2) Section 145(1)(a) is amended by striking out “dental surgery” and substituting “dentistry”.

(3) Schedule 23 is amended

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

1 On the coming into force of this Schedule, the corporation known as the College of Dietitians of Alberta is continued as a corporation under the same name.

(b) in the following provisions by striking out “The Alberta Registered Dietitians Association” and substituting “the College of Dietitians of Alberta”:

section 5(a), (b), (c), (d) and (e);

section 8(2)(c);

section 9(3)(a), (h) and (i).

(c) in section 9(3)(h) and (i) by striking out “the Association in” and substituting “the College in”;

(d) in section 9(3)(j) by striking out “Registered Dietitians Association” wherever it occurs and substituting “College of Dietitians of Alberta”.

(4) Schedule 27 is amended in section 9(3)(h) by adding “of the Social Work Profession Act” after “section 30”.

Health Professions Act

8(1) Amends chapter H-5.5 of the Statutes of Alberta, 1999.

(2) Section 145(1)(a) presently reads:

145(1) The Alberta Health Care Insurance Act is amended

(a) in section 1(h)(i) by striking out “a person registered as a member of The Alberta Dental Association” and substituting “a regulated member of The Alberta Dental Association and College under the Health Professions Act who holds a practice permit respecting the practice of dental surgery”;

(3) Section 1 of Schedule 23 presently reads:

1 On the coming into force of this Schedule, the corporation known as The Alberta Registered Dietitians Association is continued as a corporation under the name College of Dietitians of Alberta.

(4) Section 9(3)(h) of Schedule 27 presently reads:

(3) Subject to section 5(e) of this Schedule and subsection (5), for the purposes of subsection (2), the powers and duties

(h) of a person conducting a preliminary investigation under section 30 are vested in and may be exercised by an investigator appointed under this Act, and any reference to that person in the Social Work Profession Act is

Highway Traffic Act

Amends RSA
1980 cH-7

9(1) The *Highway Traffic Act* is amended by this section.

(2) Section 129 is amended

(a) in subsection (2) by repealing clause (b);

(b) by adding the following after subsection (2):

(2.1) Notwithstanding subsection (1), a person may ride in the box of a truck

(a) in those circumstances where the nature of the person's occupation requires the person to ride in the box of a truck, or

(b) where the person is engaged or otherwise employed in agricultural, horticultural or livestock raising operations and riding in the box of a truck is directly related to one or more of those operations.

(3) This section comes into force on February 1, 2000.

Interpretation Act

Amends RSA
1980 cl-7

10(1) The *Interpretation Act* is amended by this section.

(2) Section 20 is amended

(a) by adding the following after subsection (2):

(2.1) If a person is appointed by or under the authority of an enactment to an office for a term of office that is to conclude, expire or otherwise come to an end on an expressed day, the term of office includes that day.

deemed to be a reference to an investigator under this Act;

Highway Traffic Act

9(1) Amends chapter H-7 of the Revised Statutes of Alberta 1980.

(2) Section 129 presently reads:

129(1) No person shall ride or permit any other person to ride on the outside of a motor vehicle.

(2) *Subsection (1) does not apply to a person riding*

(a) on a regular seat on a motor cycle,

(b) in the box of a truck,

(c) in or on any fire-fighting vehicle,

(d) in or on a vehicle engaged in highway construction or maintenance,

(e) in or on a vehicle forming part of an entertainment exhibition that has been approved by the council of the municipality within which it is taking place, or

(f) on a municipal maintenance or municipal service vehicle on which a special seat or stand has been affixed providing for the safety of the person so riding.

(3) No person shall draw or tow by a motor vehicle on a highway any person riding a sled, toboggan, skis, motor cycle, scooter, power bicycle or bicycle.

(3) Coming into force.

Interpretation Act

10(1) Amends chapter I-7 of the Revised Statutes of Alberta 1980.

(2) Section 20 presently reads:

20(1) Words in an enactment authorizing the appointment of a person include the power of

(a) fixing his term of office;

(b) terminating his appointment or removing or suspending him;

(c) reappointing or reinstating him;

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

(3) If the appointment of a person by or under the authority of an enactment is terminated, revoked or rescinded effective on a specified day, that termination, revocation or rescission, whether or not that person holds office for a term of office that is to conclude, expire or otherwise come to an end on an expressed day, is deemed to be effective immediately on the beginning of the specified day.

(3) The following is added after section 22.1:

Registered,
certified mail

22.2 A reference in an enactment to double registered mail, single registered mail, registered mail or certified mail includes any form of mail for which the addressee or a person on behalf of the addressee is required to acknowledge receipt of the mail by providing a signature.

(4) Section 25(1) is amended

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

(c.01) “conservation officer” means a person holding office as a conservation officer under section 6.1 of Schedule 5 to the *Government Organization Act*;

(b) by repealing clause (r.1) and substituting the following:

(r.1) “province”, when used as meaning a part of Canada other than Alberta, includes the territories;

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

(v.1) “territories”, when used as meaning the territories of Canada, means the Northwest Territories, the Yukon Territory and Nunavut;

(5) Subsection (4)(a) comes into force on Proclamation.

(d) fixing his remuneration and varying or terminating it;

(e) appointing another in his place or to act in his place whether or not the office is vacant;

(f) appointing a person as his deputy.

(2) If a person is appointed by or under the authority of an enactment to an office effective on a specified day, the appointment shall be deemed to be effective immediately on the beginning of that day.

(3) If the appointment of a person by or under the authority of an enactment is terminated effective on a specified day, the termination shall be deemed to be effective immediately on the beginning of that day.

(3) Registered, certified mail.

(4) Section 25(1) presently reads in part:

25(1) In an enactment,

(r.1) "province", when used as meaning a part of Canada other than Alberta, includes the Northwest Territories and the Yukon Territory;

(5) Coming into force.

Limitations Act

Amends
various Acts

11 In the following provisions “*Limitation of Actions Act*” is struck out wherever it occurs and “*Limitations Act*” is substituted:

| Act | Section |
|---|--------------|
| Administration of Estates Act | 39 |
| Maintenance Enforcement Act | 31(3) |
| Motor Vehicle Accident Claims Act | 9(3) and (7) |
| Rural Electrification Loan Act | 15(6) |
| Rural Electrification Long Term Financing Act | 15(6) |
| Rural Utilities Act | 40(7) |

Livestock Diseases Act

Amends RSA
1980 cL-22

12 The *Livestock Diseases Act* is amended by repealing section 1(e) and substituting the following:

- (e) “Director” means the person designated by the Minister as the Director for the purposes of this Act;

Livestock Industry Diversification Act

Amends SA
1990 cL-22.7

13(1) The *Livestock Industry Diversification Act* is amended in section 13(2)

(a) by striking out “wildlife” and substituting “conservation”;

(b) by striking out “Environmental Protection” and substituting “the Environment”.

(2) This section comes into force on Proclamation.

Municipal Government Act

Amends SA
1994 cM-26.1

14(1) The *Municipal Government Act* is amended by this section.

Limitations Act

11 Changes the reference from “Limitation of Actions Act” to “Limitations Act”.

Livestock Diseases Act

12 Amends chapter L-22 of the Revised Statutes of Alberta 1980. Section 1(e) presently reads:

1 In this Act,

(e) “Director” means the Director of the Animal Industry Division of the Department of Agriculture, Food and Rural Development;

Livestock Industry Diversification Act

13(1) Amends chapter L-22.7 of the Statutes of Alberta, 1990. Section 13(2) presently reads:

(2) If a live species animal that is not an authorized present or prospective game-production animal is found on a farm, the operator shall forthwith notify a wildlife officer employed in the Department of Environmental Protection of that fact.

(2) Coming into force.

Municipal Government Act

14(1) Amends chapter M-26.1 of the Statutes of Alberta, 1994.

(2) The following is added after section 275:

Expense
allowance

275.1(1) In this section, “remuneration” includes salaries, indemnities, honorariums and allowances.

(2) One third of the remuneration paid in 1999 and later years by a municipality to a councillor is deemed to be an allowance for expenses that are incidental to the discharge of the councillor’s duties.

(3) Subsection (2) does not apply to a councillor’s remuneration paid in a year if there is in force during all or any part of that year a bylaw or resolution of council establishing that a portion other than one third of the councillor’s remuneration is an allowance for expenses that are incidental to the discharge of the councillor’s duties.

(3) The following is added after section 588:

Expense
allowance

588.1(1) In this section, “remuneration” includes salaries, indemnities, honorariums and allowances.

(2) One third of the remuneration paid in 1999 and later years from the trust account established for an improvement district to an elected councillor of the improvement district is deemed to be an allowance for expenses that are incidental to the discharge of the councillor’s duties.

(3) Subsection (2) does not apply to an elected councillor’s remuneration paid in a year if there is in force during all or any part of that year an order of the Minister establishing that a portion other than one third of the councillor’s remuneration is an allowance for expenses that are incidental to the discharge of the councillor’s duties.

Off-highway Vehicle Act

Amends RSA
1980 cO-4

15(1) The *Off-highway Vehicle Act* is amended in section 1(1)(o) by striking out “, a parks officer or a wildlife” and substituting “or a conservation”.

(2) 1/3 of the remuneration of a municipal councillor is deemed to be an expense allowance.

(3) 1/3 of the remuneration of an elected councillor in an improvement district is deemed to be an expense allowance.

Off-highway Vehicle Act

15(1) Amends chapter O-4 of the Revised Statutes of Alberta 1980. Section 1(1)(o) presently reads:

1(1) In this Act,

(o) "peace officer" means a member of the Royal Canadian Mounted Police, a member of a municipal police service, a forest officer, a parks officer or a wildlife officer;

(2) This section comes into force on Proclamation.

Provincial Parks Act

Amends RSA
1980 cP-22

16(1) The *Provincial Parks Act* is amended

- (a) in section 2 by striking out “park rangers and any other”;**
- (b) by repealing section 2.1;**
- (c) in sections 16 and 17 by striking out “park ranger” wherever it occurs and substituting “conservation officer”.**

- (2) Coming into force.

Provincial Parks Act

16(1) Amends chapter P-22 of the Revised Statutes of Alberta 1980. Sections 2, 2.1, 16 and 17 presently read:

2 In accordance with the Public Service Act, there may be appointed park rangers and any other persons necessary for the administration of this Act.

2.1 Those police officers, forest officers appointed under the Forests Act, wildlife officers appointed under the Wildlife Act and fishery officers appointed under the Fisheries Act (Canada) that are designated by the Minister

- (a) are by virtue of their office park rangers, and*
- (b) have the same powers that are conferred on a park ranger by law.*

16(1) For the purposes of administering this Act and the regulations, a park ranger may

- (a) enter on and inspect any land, road, highway, structure or work in a park or recreation area;*
- (b) order the repair, alteration, improvement, evacuation or removal of or addition to any unauthorized structure or work in a park or recreation area;*
- (c) order any person in a park or recreation area to cease or refrain from any action, omission or conduct that in the opinion of the park ranger is dangerous to life or property or detrimental to the use and enjoyment of the park or recreation area by other persons;*
- (d) require any person in a park or recreation area to inform the park ranger of*
 - (i) the name, address and occupation of the person, and*
 - (ii) any fact or intention relating to the use by the person of the park or recreation area;*
- (e) remove from a park or recreation area*
 - (i) any person making an unauthorized use of the park,*
 - (ii) any person failing to comply with any provisions of this Act or the regulations, or*

(iii) any person creating a nuisance or disturbance or committing a trespass or any undesirable act.

(2) If a motor vehicle, off-highway vehicle, aircraft, boat, trailer, equipment, appliance, article or object

(a) is abandoned,

(b) remains in an area after the authorization to be in that area has expired, or

(c) is located in a prohibited area,

a park ranger may remove, store and dispose of that item in accordance with the regulations.

(3) The Minister may by order, subject to any conditions prescribed in the order, exempt a park ranger from any provision of this Act or the regulations.

(4) A park ranger in the exercise and discharge of his powers and duties is a person employed for the preservation and maintenance of the public peace.

17(1) A park ranger may seize any motor vehicle, off-highway vehicle, aircraft, boat, trailer or any equipment, appliance or other article or object that is being used in a park or recreation area in contravention of this Act or the regulations, or in contravention of any other Act or the regulations made thereunder, whether it is found in the possession of the person alleged to have committed the contravention or not.

(2) The park ranger shall, on seizing any thing under subsection (1),

(a) give a receipt for it to the person, if any, having possession or custody of the thing, and

(b) furnish a provincial judge with an affidavit

(i) stating that he has reason to believe that an offence has been committed in respect of the thing seized, and

(ii) setting out the name of the person, if any, having possession or custody of the thing seized at the time it was seized.

(3) When a thing is seized under the authority of this section, the provincial judge may

(a) order the thing seized to be confiscated to the Crown in right of Alberta when he is satisfied that its owner is unknown and that it has been used in connection with a contravention of this Act or the regulations,

(b) order the thing seized to be confiscated to the Crown in right of Alberta on a conviction for any offence under this Act or the regulations, or

(2) This section comes into force on Proclamation.

Registered Dietitians Act

Amends SA
1983 cR-10.1

17(1) The *Registered Dietitians Act* is amended by this section.

(2) Section 1 is amended

(a) by repealing clause (a);

(b) in clause (b) by striking out “Association” and substituting “College”;

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

(b.1) “College” means the College of Dietitians of Alberta;

(d) in clause (h) by striking out “Association” and substituting “College”.

(3) The heading preceding section 4 is amended by striking out “ASSOCIATION” and substituting “COLLEGE”.

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

College of
Dietitians of
Alberta

4 The Alberta Registered Dietitians Association is continued as a corporation under the name College of Dietitians of Alberta.

(5) Section 43 is amended

(a) by striking out “Association” and substituting “College”;

(b) by striking out “Association’s counsel” and substituting “College’s counsel”.

(c) *return the thing seized to the person from whom it was seized.*

(4) *When a provincial judge returns something seized after a trial in which a not guilty plea was entered, the provincial judge may order the person to whom the article is returned*

(a) *to hold the thing as bailee for the Crown during the time limited for appeal, or any extension thereof, and*

(b) *to produce the thing if it is required in an appeal.*

(2) Coming into force.

Registered Dietitians Act

17(1) Amends chapter R-10.1 of the Statutes of Alberta, 1983.

(2) Section 1(a), (b) and (h) presently read:

(a) *“Association” means The Alberta Registered Dietitians Association;*

(b) *“Board” means the Board of Directors of the Association;*

(h) *“Registrar” means the Registrar of the Association appointed under section 7.*

(3) Consequential.

(4) Section 4 presently reads:

4 The Alberta Registered Dietitians Association is continued as a corporation.

(5) Consequential.

(6) In the following provisions, “Association” is struck out wherever it occurs and “College” is substituted:

section 5;
section 6(1), (2), (3) and (4);
section 12(1)(m);
section 13(1)(a), (b), (c), (d), (h), (j), (l), (n) and (s) and (3);
section 31;
section 34(3);
section 38(1)(b);
section 39;
section 41(2);
section 46(b);
section 47(1)(a) and (b) and (2)(a) and (c).

Safety Codes Act

Amends SA
1991 cS-0.5

18 The *Safety Codes Act* is amended in section 59(1) by striking out “or” at the end of clause (d), by adding “or” at the end of clause (e) and by adding the following after clause (e):

- (f) if the information
 - (i) concerns a permit,
 - (ii) is released by a public body as defined in the *Freedom of Information and Protection of Privacy Act*, and
 - (iii) is limited to the name of the permit holder and the nature of the permit.

(6) Consequential.

Safety Codes Act

18 Amends chapter S-0.5 of the Statutes of Alberta, 1991. Section 59(1) presently reads:

59(1) The Minister, members of the Council, Administrators, accredited municipalities, accredited regional services commissions, 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.*

Small Business Equity Corporations Act

Repeals SA
1984 cS-13.5

19(1) The *Small Business Equity Corporations Act* is repealed.

(2) The *Alberta Corporate Tax Act* is amended by repealing Division 3 of Part 6.

(3) The *Financial Administration Act* is amended in section 1(1)(p) by striking out “money in a trust fund established under section 10 of the *Small Business Equity Corporations Act* or”.

Social Development Act

Amends RSA
1980 cS-16

20(1) The *Social Development Act* is amended by repealing section 9.

Small Business Equity Corporations Act

19(1) Repeals chapter S-13.5 of the Statutes of Alberta, 1984.

(2) Repeals Division 3 of Part 6 of chapter A-17 of the Revised Statutes of Alberta 1980. Division 3 is entitled "Alberta Small Business Investment Tax Credit".

(3) Amends chapter F-9 of the Revised Statutes of Alberta 1980. Section 1(1)(p) presently reads:

1(1) In this Act,

(p) "public money" means money

(i) owned by the Crown,

(ii) held by the Crown for the benefit of or in trust for any other person,

(iii) held by a public employee, public official, personal service contractor or revenue officer in his capacity as a public employee, public official, personal service contractor or revenue officer,

(iv) held by any person for the benefit of or in trust for the Crown, or

(v) owned or held by a Provincial agency,

but does not include money in a trust fund established under section 10 of the Small Business Equity Corporations Act or money owned or held by Alberta Treasury Branches;

Social Development Act

20(1) Amends chapter S-16 of the Revised Statutes of Alberta 1980. Section 9 presently reads:

9(1) If the parents of a child are unable or unwilling to properly care for their child and the child is, in the opinion of the Director, being properly cared for in the home of another person or in an institution, a social allowance may be issued to that person or institution on behalf of the child.

(2) The Director may, in calculating need under section 12, take into consideration the income and assets of the child only.

(2) The *Child and Family Services Authorities Act* is amended by repealing section 1(c)(iii).

(3) The *School Act* is amended

(a) in section 1(1)(h)(ii) by adding “or” at the end of paragraph (A), striking out “or” at the end of paragraph (B) and repealing paragraph (C);

(b) in section 27(5.1) by adding “and” at the end of clause (a), striking out “and” at the end of clause (b) and repealing clause (c).

(4) This section comes into force on Proclamation.

Special Areas Act

Amends RSA
1980 cS-20

21 The *Special Areas Act* is amended by adding the following after section 13:

(2) Consequential amendment to SA 1996 cC-7.3. Section 1(c)(iii) 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:

(iii) the provision of social allowance for the care of children under section 9 of the Social Development Act;

(3) Consequential amendment to SA 1988 cS-3.1. Sections 1(1)(h)(ii) and 27(5.1) presently read:

1(1) In this Act,

(h) “independent student” means a student who is

(i) 18 years of age or older, or

(ii) 16 years of age or older and

27(5.1) If a student is

(a) under 16 years of age,

(b) not the subject of an order or agreement under the Child Welfare Act, and

(c) the subject of an allowance under section 9(1) of the Social Development Act,

the student is a resident student of the board of the district or division in which the student resides.

(4) Coming into force.

Special Areas Act

21 Amends chapter S-20 of the Revised Statutes of Alberta 1980. 1/3 of the remuneration of a member of an advisory committee is deemed to be an expense allowance.

Expense
allowance

13.1(1) In this section, “remuneration” includes salaries, indemnities, honorariums and allowances.

(2) One third of the remuneration paid in 1999 and later years from The Special Areas Trust Account to a member of an advisory committee is deemed to be an allowance for expenses that are incidental to the discharge of the member’s duties.

(3) Subsection (1) does not apply to a member’s remuneration paid in a year if there is in force during all or any part of that year an order of the Minister establishing that a portion other than one third of the member’s remuneration is an allowance for expenses that are incidental to the discharge of the member’s duties.

Universities Act

Amends RSA
1980 cU-5

22 The *Universities Act* is amended in section 52

(a) in subsection (5) by striking out “of the Animal Industry Division of the Department of Agriculture, Food and Rural Development”;

(b) by adding the following after subsection (5):

(6) In subsection (5), “Director” means the person designated by the Minister of Agriculture, Food and Rural Development as the Director for the purposes of this section.

Utility Companies Income Tax Rebates Act

Repeals RSA
1980 cU-10

23(1) The *Utility Companies Income Tax Rebates Act* is repealed.

(2) The *Alberta Corporate Tax Act* is amended in section 77(5)(a)(iv) by striking out “, the *Utility Companies Income Tax Rebates Act*”.

Universities Act

22 Amends chapter U-5 of the Revised Statutes of Alberta 1980. Section 52(5) presently reads:

(5) The Director of the Animal Industry Division of the Department of Agriculture, Food and Rural Development or the Director's delegate shall at least once each year inspect the premises in which the animals are sheltered and all areas in which medical research is being carried out, and shall at the end of each year submit a report of the inspections to the Minister of Agriculture, Food and Rural Development, who shall lay the report before the Legislative Assembly if it is sitting, or if it is not sitting, within 30 days after the commencement of the next sitting.

Utility Companies Income Tax Rebates Act

23(1) Repeals chapter U-10 of the Revised Statutes of Alberta 1980.

(2) Amends chapter A-17 of the Revised Statutes of Alberta 1980. Section 77(5)(a)(iv) presently reads:

(5) Tax information may be communicated as follows:

(a) to a person employed or engaged by the Government of Alberta if the tax information is

(3) The *Small Power Research and Development Act* is amended by repealing section 7(h.2) and (h.3).

**Wilderness Areas, Ecological Reserves
and Natural Areas Act**

Amends RSA
1980 cW-8

24(1) The *Wilderness Areas, Ecological Reserves and Natural Areas Act* is amended in section 13.1(3)

(a) by repealing clause (b);

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

(d) a conservation officer.

(2) This section comes into force on Proclamation.

(iv) *to be used solely for the purposes of administering or enforcing this Act or any other taxation statute of Alberta, the Small Power Research and Development Act, the Utility Companies Income Tax Rebates Act or Division 2 of Part 5 of the Hospitals Act;*

(3) Amends chapter S-13.75 of the Statutes of Alberta, 1988. Section 7(h.2) and (h.3) presently read:

7 The Lieutenant Governor in Council may make regulations

(h.2) requiring a public utility to pay

(i) to a small power producer that is a utility company within the meaning of the Utility Companies Income Tax Rebates Act an amount based on the amount of rebates granted by the small power producer to its customers under that Act, and

(ii) to a small power producer an amount in respect of income taxes that are paid by the small power producer and are not eligible to be paid into or transferred to the Fund under the Utility Companies Income Tax Rebates Act;

(h.3) providing for the manner of determining the amount of payments to be made to small power producers under clause (h.2) and the manner in which those payments are to be made;

**Wilderness Areas, Ecological Reserves
and Natural Areas Act**

24(1) Amends chapter W-8 of the Revised Statutes of Alberta 1980. Section 13.1(3) presently reads:

(3) In this section, "peace officer" means

(a) a member of the Royal Canadian Mounted Police,

(b) a wildlife officer appointed under the Wildlife Act,

(c) a forest officer appointed under the Forests Act, and

(d) a park ranger appointed under the Provincial Parks Act.

(2) Coming into force.

Wildlife Act

Amends SA
1984 cW-9.1

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

(2) Section 1 is amended

(a) in subsection (1) by adding the following after clause (j):

(j.01) “officer” means a conservation officer;

(b) by repealing subsection (1)(z);

(c) in subsection (6)(b) by striking out “wildlife officer or” and substituting “conservation officer or wildlife”.

(3) Section 2 is repealed.

(4) Section 59.1(1) is amended by striking out “wildlife officer appointed by the Minister under section 2(1)” and substituting “conservation officer appointed under section 6.1(1) of Schedule 5 to the *Government Organization Act*”;

(5) Section 64 is amended

(a) in subsection (1) by striking out “officer or wildlife”;

(b) in subsection (3) by striking out “Wildlife” and substituting “Conservation”.

Wildlife Act

25(1) Amends chapter W-9.1 of the Statutes of Alberta, 1984.

(2) Definitions relating to conservation officers.

(3) Section 2 presently reads:

2(1) The Minister may appoint wildlife officers.

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

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

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

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

(4) Section 59.1(1) presently reads:

59.1(1) If a live big game animal is found on permit premises and its possession on those premises is not authorized by a permit, the owner or person in charge of those premises shall ensure that a wildlife officer appointed by the Minister under section 2(1) is notified forthwith of the finding.

(5) Section 64(1) and (3) presently read:

64(1) A wildlife officer or wildlife guardian, in the execution of his duties and responsibilities and in the exercise of his powers, is a person employed for the preservation and maintenance of the public peace.

(3) Wildlife officers and wildlife guardians

(a) are the persons with the primary responsibility of enforcing this Act, and

(6) The following provisions are amended by striking out “wildlife officer” and substituting “conservation officer”:

section 4;
section 14(b);
section 17(2);
section 59.1(2)(b);
section 65(1);
section 66(1);
section 67(1);
section 68(2);
section 69(1)(b);
section 70(1);
section 71(1);
section 72(a);
section 73(1);
section 74(1);
section 78(1)(b);
section 80(2);
section 81(1);
section 83;
section 85(1)(c);
section 85(7);
section 94(5).

(7) This section comes into force on Proclamation.

(b) without limiting their other powers, have all powers that are required for, that are incidental to or that form part of

(i) the performance of their duties, whether or not those duties are specifically referred to in this Act, or

(ii) any enforcement, investigation, administration or process under or relating to this Act or any directions, requirements, orders or prosecution or other legal proceeding under or relating to this Act.

(6) Changes references from “wildlife officer” to “conservation officer”.

(7) Coming into force.