

2001 BILL 1

---

First Session, 25th Legislature, 50 Elizabeth II

---

THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 1

NATURAL GAS PRICE PROTECTION ACT

---

THE PREMIER

---

---

First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

---

# BILL 1

2001

## NATURAL GAS PRICE PROTECTION ACT

(Assented to \_\_\_\_\_, 2001)

### Table of Contents

Definitions	1
Price protection	2
Rebates to vendors	3
Gas eligible for rebates	4
National residential gas reference price	5
Civil remedies	6
Regulations	7
Repeal	8
Coming into force	9

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

#### Definitions

**1** In this Act,

- (a) “Alberta price” means the price of marketable gas determined in accordance with the regulations;
- (b) “eligible consumer” means, subject to the regulations,
  - (i) with reference to marketable gas used other than as motive fuel, a person who purchases marketable gas, and
  - (ii) with reference to other substances, an eligible consumer as defined in the regulations;
- (c) “marketable gas” means a mixture mainly of methane originating from raw gas as defined in the *Oil and Gas Conservation Act*, if necessary through the processing of

the raw gas for the removal or partial removal of some constituents, that meets specifications for use as a residential, commercial or industrial fuel or as an industrial raw material;

(d) “other substances” means propane, heating oil and any other substance used for heating purposes as specified in the regulations.

Price protection	<b>2</b> Where, in the opinion of the Minister of Energy, the Alberta price is or is likely to be greater than the amount prescribed in the regulations, the Lieutenant Governor in Council may authorize a rebate to eligible consumers in Alberta under the regulations to assist eligible consumers in the cost of marketable gas.
Rebates to vendors	<b>3(1)</b> A rebate under this Act may be made directly to eligible consumers or to a vendor for the benefit of eligible consumers. <b>(2)</b> If a rebate is made to a vendor under subsection (1) for the benefit of eligible consumers, the benefit of the rebate must be passed on to the eligible consumers.
Gas eligible for rebates	<b>4(1)</b> A rebate under this Act is to be made only in respect of marketable gas and other substances that are consumed or used in Alberta. <b>(2)</b> A rebate under this Act made to an eligible consumer for marketable gas or other substances consumed or used in Alberta for industrial purposes is subject to the maximum amount of rebate prescribed in the regulations.
National residential gas reference price	<b>5</b> The Minister of Energy may, with respect to delivered marketable gas, publish from time to time a national residential gas reference price, based on such factors as the Minister considers appropriate.
Civil remedies	<b>6</b> The Crown in right of Alberta has a cause of action in debt against a person who receives a rebate or the benefit of a rebate under this Act for the amount of the rebate or an amount equal to the benefit, as the case may be, if the person  (a) was not eligible for all or part of the rebate or benefit,

- (b) consumed or used the marketable gas or other substance outside Alberta,
- (c) breached a condition on which the rebate was made, or
- (d) in the case of a vendor, failed to pass on the benefit of all or part of the rebate to the eligible consumer entitled to that rebate.

- Regulations      **7(1)** The Lieutenant Governor in Council may make regulations
- (a) defining for the purposes of this Act and the regulations any terms or expressions not already defined in section 1;
  - (b) respecting the determination of the Alberta price and the amount to be prescribed by regulation referred to in section 2;
  - (c) authorizing rebates for the purposes of section 2;
  - (d) respecting the circumstances in which a person is considered not to be an eligible consumer;
  - (e) respecting applications for rebates;
  - (f) respecting the conditions on which rebates may be made;
  - (g) respecting the basis on which or methods by which rebates are to be calculated;
  - (h) respecting the manner in which and the frequency with which rebates may be made;
  - (i) respecting the maximum amount of rebate that may be made to an eligible consumer for marketable gas consumed or used in Alberta for industrial purposes;
  - (j) requiring a vendor to include information determined by the Minister of Energy relating to the cost of marketable gas to eligible consumers in Alberta, including the national residential gas reference price, in any statement, receipt or invoice issued by the vendor to an eligible consumer;
  - (k) respecting the administration of the rebates paid to vendors for the benefit of eligible consumers;
  - (l) generally, governing any matter incidental to the administration of this Act or the regulations.

- (2) The Lieutenant Governor in Council may make regulations
- (a) authorizing rebates to be made in respect of other substances;
  - (b) defining “eligible consumer” for the purposes of rebates made in respect of other substances specified under clause (c);
  - (c) specifying other substances for the purposes of section 1(d);
  - (d) providing for any matter in connection with rebates made in respect of other substances that may be provided for in regulations under subsection (1) in relation to marketable gas.
- (3) A regulation made under this section is, if it so provides, effective with respect to a period before it was made.

Repeal            **8** The *Natural Gas Rebates Act* is repealed on Proclamation.

Coming into force    **9** This Act comes into force on July 1, 2001.