

2001 BILL 31

First Session, 25th Legislature, 50 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 31

**MISCELLANEOUS STATUTES
AMENDMENT ACT, 2001 (NO. 2)**

THE MINISTER OF JUSTICE
AND ATTORNEY GENERAL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 31

BILL 31

2001

MISCELLANEOUS STATUTES AMENDMENT ACT, 2001 (NO. 2)

(Assented to _____, 2001)

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

Cooperatives Act

Amends SA
2001 cC-25.5

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

(2) Section 260 is amended

- (a) in subsection (4) by striking out “or” at the end of clause (a) and substituting “and”;**
- (b) in subsection (5) by striking out “or” at the end of clause (a) and substituting “and”.**

Explanatory Notes

Cooperatives Act

1(1) Amends chapter C-25.5 of the Statutes of Alberta, 2001.

(2) Section 260(4) and (5) presently read:

(4) If a corporation wishes to apply for continuance under subsection (1), articles of continuance in the form set by the Director must be sent to the Director, together with any information that the Director may require and a declaration of the directors

(a) that after continuance the cooperative will be organized and operated and will carry on business on a cooperative basis, or

(b) in the case of a cooperative to which Part 18 applies, that after continuance the cooperative will be in compliance with the applicable division of Part 18.

(5) If a corporation wishes to apply for continuance under subsection (2), articles of continuance and articles of amalgamation, in the form set by the Director, must be sent to the Director, together with an amalgamation agreement containing the particulars set out in section 271, any information that the Director may require and a declaration of the directors

(a) that after amalgamation the cooperative will be organized and operated and will carry on business on a cooperative basis, or

(3) Section 346(2) is amended by adding “or 68” after “4(c)”.

(4) Section 350 is amended by adding “261(1),” after “260(4) or (5),” and by striking out “, 281(1)”.

(5) Section 352(j) is amended by adding “, a document or information” after “fee”.

(6) Section 389(1)(e) is amended by adding “and” after “137”.

(7) Section 434(2)(a) is amended by adding “in accordance with sections 5, 387, 388, 389, 392(1), 402(1), 407, 413 and 419, as applicable” after “the association”.

(b) in the case of a cooperative to which Part 18 applies, that after amalgamation the cooperative will be in compliance with the applicable division of Part 18.

(3) Section 346(2) presently reads:

(2) A director named in a notice sent by a cooperative to the Director under section 4(c) is presumed, for the purposes of this Act, to be a director of the cooperative referred to in the notice.

(4) Section 350 presently reads:

350 The Director may, for all purposes of this Act, rely on a declaration of the incorporators or directors referred to in section 4(d) or (f), 260(4) or (5), 266(1), 274(2), 281(1) or 329(2).

(5) Section 352(j) presently reads:

352 The Minister may make regulations

(j) providing for the time a fee is considered to be received under section 338(2);

(6) Section 389(1)(e) presently reads:

389(1) The following restrictions apply to non-profit housing cooperatives:

(e) notwithstanding section 137 any regulations made under section 9(1), a non-profit housing cooperative may only allocate among or credit and pay to the members all or part of the surplus arising from the operations of the cooperative in a financial year as a patronage return;

(7) Section 434(2) presently reads:

(2) An association may be continued as a cooperative if the association submits an application to the Director that contains

(a) the articles of the association;

(b) a declaration signed by the directors that after the association is continued under this section the cooperative will be organized and operated and will carry on business on a cooperative basis;

(c) if applicable, a declaration signed by the incorporators that after the incorporation the cooperative will comply with the applicable division of Part 18;

(d) the fee required by the regulations, if any;

(e) anything else required by the regulations.

(8) Section 447(2) is repealed and the following is substituted:

(2) Section 265(1)(c) is amended by adding “or an extra-provincial cooperative as defined in section 1(1)(v) of the *Cooperatives Act*” after “*Co-operative Associations Act*”.

(9) Section 449(2) is repealed and the following is substituted:

(2) Section 1(6)(a) is amended by adding “or a cooperative as defined in the *Cooperatives Act*” after “*Co-operative Associations Act*”.

(10) Section 457(2) is amended

(a) by repealing clauses (b) and (d);

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

(e) in subsection (4) by adding “, the *Cooperatives Act*” after “*Business Corporations Act*”.

(11) Section 458(2) is repealed and the following is substituted:

(2) Section 22(2)(j) is amended by adding “or is a member of a cooperative under the *Cooperatives Act*” after “*Rural Utilities Act*”.

(12) Section 459(2) is repealed and the following is substituted:

(2) Section 26(l) is amended by adding “or a cooperative under the *Cooperatives Act*” after “*Co-operative Associations Act*”.

(8) Consequential amendment to Business Corporations Act. Section 447(2) presently reads:

(2) Section 265(1)(c) is amended by striking out “association as defined in Part 2 of the Co-operative Associations Act” and substituting “cooperative as defined in section 1(1)(v) of the Cooperatives Act”.

(9) Consequential amendment to Conflicts of Interest Act. Section 449(2) presently reads:

(2) Section 1(6)(a) is repealed and the following is substituted:

(a) a cooperative as defined in the Cooperatives Act,

(10) Consequential amendments to Land Titles Act. Section 457(2)(b), (d) and (e) presently read:

(2) Section 30 is amended

(b) in subsection (1)(e) by striking out “the Co-operative Associations Act or”;

(d) in subsection (2)(a.2) by striking out “, the Co-operative Associations Act”;

(e) in subsection (4) by striking out “the Co-operative Associations Act,” and by adding “, the Cooperatives Act” after “the Business Corporations Act”.

(11) Consequential amendment to Local Authorities Election Act. Section 458(2) presently reads:

(2) Section 22(2) is amended

(a) in clause (j) by striking out “the Co-operative Associations Act or”;

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

(j.1) that he is a member of a cooperative under the Cooperatives Act;

(12) Consequential amendment to Marketing of Agricultural Products Act. Section 459(2) presently reads:

(2) Section 26(1) is amended by striking out “a co-operative association under the Co-operative Associations Act” and substituting “a cooperative under the Cooperatives Act”.

(13) Section 460(2) is repealed and the following is substituted:

(2) Section 10(1)(c) is amended by adding “or a cooperative under the *Cooperatives Act*” after “*Co-operative Associations Act*”.

(14) Section 461(2) is repealed and the following is substituted:

(2) Section 36(3)(b)(iv) is amended by adding “or the *Cooperatives Act*” after “*Co-operative Associations Act*”.

(15) Section 463(2)(b) is repealed.

(16) Section 464(2) is repealed and the following is substituted:

(2) Section 58(b) is amended by adding “or incorporated or continued under the *Rural Utilities Act*” after “*Co-operative Associations Act*”.

(17) Section 467(2) is repealed and the following is substituted:

(2) Section 125(b) is amended by adding “and a cooperative” after “association”.

(3) Section 136 is amended

(a) in subsections (1) and (1.1) by adding “, cooperative” after “corporation”;

(b) in subsection (3) by adding “or cooperative” after “a corporation” and by striking out “corporation or the co-operative association” and substituting “corporation, cooperative or co-operative association”.

(4) Section 147(3)(c) is amended by adding “, a cooperative” after “corporation”.

(13) Consequential amendment to Mobile Home Sites Tenancies Act. Section 460(2) presently reads:

(2) Section 10(1)(c) is amended by striking out “an association under the Co-operative Associations Act” and substituting “a cooperative under the Cooperatives Act”.

(14) Consequential amendment to Motor Vehicle Administration Act. Section 461(2) presently reads:

(2) Section 36(3)(b)(iv) is repealed and the following is substituted:

(iv) registered under the Cooperatives Act.

(15) Consequential amendment to Pipeline Act. Section 463(2)(b) presently reads:

(2) Section 27(1) is amended

(b) in clause (b) by striking out “the Co-operative Associations Act or”.

(16) Consequential amendment to Public Lands Act. Section 464(2) presently reads:

(2) Section 58(b) is amended by striking out “under the Co-operative Associations Act” and substituting “or continued under the Rural Utilities Act”.

(17) Consequential amendments to School Act. Section 467(2) presently reads:

(2) The following sections are amended by striking out “co-operative association” wherever it occurs and substituting “cooperative”:

*section 125(b);
section 135(3.1), (3.2), (4.1)(b) and (5.1);
section 136(1), (1.1) and (3);
section 139(b);
section 140(1), (3) and (4);
section 141;
section 147(3)(c);
section 148;
section 149(1) and (2)(a);
section 181.3(3) and (4).*

(5) The following sections are amended by adding “, cooperative” after “corporation” wherever it occurs:

section 135(3.1), (3.2), (4.1)(b) and (5.1);
section 139(b);
section 140(1), (3) and (4);
section 141;
section 148;
section 149(1) and (2)(a);
section 181.3(3) and (4).

(18) Section 469(5)(a) is repealed.

(19) Section 470(2) is repealed and the following is substituted:

(2) Section 19.1(1)(b) is amended by adding “or incorporated, continued or registered under the *Cooperatives Act*” after “*Co-operative Associations Act*”.

(20) Section 472(2) is repealed and the following is substituted:

(2) Section 52(1)(f)(ii)(B)(IV) is amended by adding “or the *Cooperatives Act*” after “*Co-operative Associations Act*”.

(21) Section 473(2) is repealed and the following is substituted:

(2) Section 7(1) is amended by adding “or any cooperative incorporated under the *Cooperatives Act*” after “*Co-operative Marketing Associations Act*”.

(22) Section 475 is repealed and the following is substituted:

Coming into
force

475 This Act comes into force on April 1, 2002.

(18) Consequential amendment to Securities Act. Section 469(5)(a) presently reads:

(5) Section 66 is amended

(a) in clause (h) by striking out "the Co-operative Associations Act or";

(19) Consequential amendment to Stray Animals Act. Section 470(2) presently reads:

(2) Section 19.1(1)(b) is amended by striking out "or the Co-operative Associations Act" and substituting "or incorporated, continued or registered under the Cooperatives Act".

(20) Consequential amendment to Traffic Safety Act. Section 472(2) presently reads:

(2) Section 52(1)(f)(ii)(B)(IV) is repealed and the following is substituted:

(IV) the Cooperatives Act;

(21) Consequential amendment to Wheat Board Money Trust Act. Section 473(2) presently reads:

(2) Section 7(1) is amended by striking out "Co-operative Associations Act or the Cooperative Marketing Associations Act, RSA 1942 c251," and substituting "Cooperatives Act".

(22) Section 475 presently reads:

475(1) This Act, except section 469(5), comes into force on April 1, 2002.

(2) Section 469(5) comes into force on March 31, 2005.

Crown Contracts Dispute Resolution Act

Amends SA
1997 cC-36.5

2 The *Crown Contracts Dispute Resolution Act* is repealed.

Electoral Boundaries Commission Act

Amends SA
1990 cE-4.01

3(1) The *Electoral Boundaries Commission Act* is amended by this Act.

(2) Section 5(1) is repealed and the following is substituted:

Time of
appointment

5(1) A Commission is to be appointed on or before June 30, 2002.

Glenbow-Alberta Institute Act

Amends RSA
1980 cG-5

4(1) The *Glenbow-Alberta Institute Act* is amended by this section.

(2) Section 0.1 is amended

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

(iii) books and other materials included in the Institute's library collection;

(b) in clause (e) by adding “, but excluding books and other materials included in the Institute's library collection” after “following categories”.

Crown Contracts Dispute Resolution Act

2 Repeals chapter C-36.5 of the Statutes of Alberta, 1997.

Electoral Boundaries Commission Act

3(1) Amends chapter E-4.01 of the Statutes of Alberta, 1990.

(2) Section 5 presently reads:

5(1) A Commission is to be appointed on or before July 1, 1995.

(2) Subsequent Commissions are to be appointed during the first session of the Legislature following every 2nd general election after the appointment of the last Commission.

(3) Notwithstanding subsection (2), if less than 8 years has elapsed since the appointment of the last Commission, the Commission is to be appointed

(a) no sooner than 8 years, and

(b) no later than 10 years

after the appointment of the last Commission.

Glenbow-Alberta Institute Act

4(1) Amends chapter G-5 of the Revised Statutes of Alberta 1980.

(2) Section 0.1 presently reads in part:

0.1 In this Act,

(c) "collection assets" means cultural property which, immediately before April 1, 1996, was in the custody of the Institute and held by it for the purpose of exercising curatorial care of or ensuring public access to it, and includes all replacement cultural property subsequently acquired in exchange or in partial exchange for any such cultural property or for any such replacement cultural property and all cultural property acquired by the Crown as a result of an agreement under section 23(2), but does not include

(i) materials and equipment used to provide public access to any such cultural property,

(3) Section 2 is amended by adding the following after clause (b.1):

(b.2) operate and maintain a library;

- (ii) *any property that has been received by the Institute on loan or rental or otherwise on the understanding that it will be returned to the party from whom it was received, or*
- (iii) *books and other catalogued material forming part of the Institute's library;*
- (e) *"cultural property" means property belonging to any one or more of the following categories:*
 - (i) *collections or specimens of fauna, flora, minerals or objects of palaeontological interest;*
 - (ii) *property relating to history, including the history of science and technology or military or social history;*
 - (iii) *products of archaeological excavations or of archaeological discoveries;*
 - (iv) *elements of artistic or historical monuments or archaeological sites that have been dismantled or dismembered;*
 - (v) *antiquities, including inscriptions, coins and engraved seals;*
 - (vi) *objects of ethnological interest;*
 - (vii) *property of artistic interest, including*
 - (A) *pictures, paintings and drawings produced entirely by hand on any support and in any material;*
 - (B) *works of statuary art and sculpture in any material;*
 - (C) *engravings, prints and lithographs;*
 - (D) *artistic assemblages and montages in any material;*
 - (viii) *postage, revenue or similar stamps;*
 - (ix) *archives, including sound, photographic and cinematographic archives;*
 - (x) *articles of furniture or musical instruments;*

(3) Section 2 presently reads in part:

2 The objects of the Institute are to promote and encourage the acquisition and diffusion of knowledge of the human race, its arts, its history and the nature of the world in which it lives, in such a manner as to best serve the educational and cultural needs of the peoples of Alberta and, in particular, but without limiting the

(4) Subsections (2) and (3) are deemed to have come into force on April 15, 1966.

Government Organization Act

Amends SA
1994 cG-8.5

5(1) The *Government Organization Act* is amended by this section.

(2) Schedule 10 is amended in section 2(1)

(a) in clause (d) by striking out “, including but not limited to providing that any limitation of liability applicable to an official may be made applicable to a delegated person and the delegated person’s employees, agents, directors and officers and members of a committee when they are carrying out the official’s power, duty or function”;

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

(d.1) providing that any limitation of liability applicable to an official may be made applicable to a delegated person and the delegated person’s employees, agents, directors and officers and members of a committee when they are carrying out the official’s power, duty or function;

Health Disciplines Act

Amends RSA
1980 cH-3.5

6(1) The *Health Disciplines Act* is amended by this section.

(2) Section 5(2) is amended by striking out “and not more than 9”.

(3) Section 7.6(1)(a) is amended by striking out “and not more than 9”.

generality of the foregoing, the Institute may in furtherance of its objects:

(b.1) exercise curatorial care of and provide public access to the collection assets and otherwise deal with the collection assets in accordance with the agreements referred to in section 23(2);

(4) Coming into force.

Government Organization Act

5(1) Amends chapter G-8.5 of the Statutes of Alberta, 1994.

(2) Schedule 10, section 2(1)(d) presently reads:

2(1) The Lieutenant Governor in Council may make regulations

(d) respecting limiting the liability of a delegated person and the delegated person's employees, agents, directors or officers or the members of a committee in an action for negligence with respect to the delegated power, duty or function when the delegated person, employee, agent, director, officer or member of a committee acts in good faith pursuant to the delegation, including but not limited to providing that any limitation of liability applicable to an official may be made applicable to a delegated person and the delegated person's employees, agents, directors and officers and members of a committee when they carry out the official's power, duty or function;

Health Disciplines Act

6(1) Amends chapter H-3.5 of the Revised Statutes of Alberta 1980.

(2) Section 5(2) presently reads:

(2) A Committee established under subsection (1) shall consist of not fewer than 3 and not more than 9 members appointed by the Minister for a term prescribed by the Minister.

(3) Section 7.6(1) presently reads:

7.6(1) A health discipline association shall establish, in accordance with the regulations, a conduct and competency committee consisting of

- (a) not fewer than 3 and not more than 9 members of the health discipline association, and*
- (b) one member of the public who shall be appointed by the Lieutenant Governor in Council for a term of not more than 3 years.*

(4) The following is added after section 12.1:

Panels

12.2(1) The chair may designate a minimum of 3 members of a committee to sit as a panel of the committee under this Part.

(2) The chair may establish as many panels as the chair considers necessary.

(3) The chair must designate which member of a panel is to act as the chair of the panel.

(4) A panel of a committee has all the powers and duties of a committee under this Part.

(5) If a member designated under subsection (1) is not capable of carrying out the powers and duties of a member, the panel may continue a review, hearing or rehearing in which the member was participating and the panel may carry out its powers and duties with respect to that review, hearing or rehearing.

(6) A power or duty carried out by a panel of a committee is a power or duty carried out by the committee.

(7) Two or more panels of a committee may carry out their powers and duties simultaneously.

(8) Any reference in this Part or in Part 5 of this Act or in Part 10 of the *Health Professions Act* to a committee may be read as a reference to a panel of the committee.

Legal Profession Act

Amends SA
1990 cL-9.1

7(1) The *Legal Profession Act* is amended by this section.

(2) Section 7(2) is amended by adding the following after clause (b):

(b.1) respecting the publicizing of information entered in the roll or in the register of students-at-law;

(3) Section 10 is amended

(4) Panels.

Legal Profession Act

7(1) Amends chapter L-9.1 of the Statutes of Alberta, 1990.

(2) Section 7(2) presently reads in part:

(2) Without restricting the generality of subsection (1), the Benchers may make rules

(b) fixing the fees payable to the Society for the admission of students-at-law or the enrolment of members, the fees payable annually by members and any other fees incidental to the conduct of the business and affairs of the Society;

(3) Section 10 presently reads in part:

(a) in subsection (1) by striking out “3” and substituting “4”;

(b) in subsection (3) by striking out “6” and substituting “8”.

(4) Section 29(3) is amended by adding “may be made public and” after “students-at-law”.

(5) Section 39(2)(c) is repealed and the following is substituted:

(c) has served under articles as required by the rules, and

(6) Section 44 is amended

(a) in subsections (1) and (2) by adding “or of the Provincial Court” after “Bench”;

(b) in subsection (4) by striking out “Court” and substituting “court”.

10(1) In addition to the number of Benchers specified in section 9, the Benchers shall include 3 members of the public, who shall be appointed as lay Benchers for a term of not more than 2 years by the Minister of Justice and Attorney General after consultation with the Benchers.

(3) Notwithstanding subsections (1) and (2), a person ceases to hold office as a lay Bencher after holding the office for periods totalling 6 consecutive years.

(4) Section 29(3) presently reads:

(3) Information entered in the roll or in the register of students-at-law shall be made available for inspection by any person during normal business hours of the Society subject to any restrictions relating to the confidentiality of that information prescribed by the rules.

(5) Section 39(2)(c) presently reads:

(2) The Executive Director shall approve the enrolment of a person admitted as a student-at-law under subsection (1) if he proves to the Executive Director's satisfaction and in accordance with the rules that he

(c) has served under articles for a continuous period of at least one year or, with the approval of the Credentials and Education Committee, for periods totalling at least one year, and

(6) Section 44 presently reads:

44(1) When the Executive Director has approved the enrolment of a person under section 39, 40 or 41 or the Benchers have approved the enrolment of a person under section 45, and the prescribed enrolment fee has been paid, the Executive Director shall issue a certificate to that effect directed to a clerk of the Court of Queen's Bench.

(2) When the certificate of the Executive Director has been delivered to the clerk, the applicant for enrolment shall, within 2 years of the date of the certificate, take and subscribe before a judge or judges of the Court of Queen's Bench, in open court,

(a) an oath of allegiance in the form prescribed by the Oaths of Office Act,

(b) the official oath prescribed by the Oaths of Office Act, and

(c) any other oath prescribed by the rules.

(3) The Executive Director may extend the 2-year period mentioned in subsection (2) whether the application for the extension was made before or after the expiration of that period.

(7) Section 60 is amended by adding the following after subsection (6):

(7) Notwithstanding section 19(5)(b), where under section 19(5) the President directs that a vote under this section be taken by the polling of the Benchers by mail, telegram, telephone or other mode of communication or by any combination of those modes, and

(a) the resolution is agreed to by at least 2/3 of the Benchers so voting, and

(b) the Benchers so voting constitute a quorum of the Benchers under this Part,

the resolution is as valid as if the vote were taken at a properly constituted meeting of the Benchers.

(8) Subsection (4) comes into force on Proclamation.

Maintenance Enforcement Act

Amends SA
1985 cM-0.5

8(1) The *Maintenance Enforcement Act* is amended by this section.

(2) Section 8 is amended

(a) in subsection (1) by adding “by the creditor” after “maintenance order filed”;

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

(1.1) Subject to section 9(3), a debtor may withdraw a maintenance order filed by the debtor with the Director by filing with the Director at any time a notice in writing stating that the debtor does not wish to have the maintenance order enforced by the Director.

(3) Section 11 is amended by adding the following after subsection (3):

(4) When the applicant for enrolment has taken and subscribed the oaths referred to in subsection (2), the clerk or deputy clerk of the Court shall issue a certificate to that effect and send it forthwith to the Executive Director.

(5) A person becomes a member when a certificate in respect of that person is issued under subsection (4).

(6) On receiving a certificate issued in respect of a member under subsection (4), the Executive Director shall enter the member's name in the roll in accordance with the rules.

(7) Voting by mail, telegram, telephone, etc.

(8) Subsection (4) coming into force.

Maintenance Enforcement Act

8(1) Amends chapter M-0.5 of the Statutes of Alberta, 1985.

(2) Section 8 presently reads:

8(1) Subject to section 9(3), a creditor may withdraw a maintenance order filed with the Director by filing with the Director at any time a notice in writing stating that the creditor does not wish to have the maintenance order enforced by the Director.

(2) Subject to the regulations, a maintenance order that has been withdrawn may be refiled with the Director.

(3) Section 11(3) presently reads:

(3) Information received by the Director under this Act may be used only for the purpose of enforcing a maintenance order and is otherwise confidential.

(4) Notwithstanding subsection (3), the Director must provide information received by the Director under this Act to the Ombudsman for the purpose of an investigation conducted under the *Ombudsman Act*.

(4) Section 11.3 is repealed and the following is substituted:

Providing
information

11.3(1) Notwithstanding section 11(3), if a debtor is in arrears in the payment of maintenance under a maintenance order filed with the Director, the Director may, subject to the regulations, provide that information and any other ancillary information to any person or organization that provides credit ratings in respect of persons.

(2) Notwithstanding section 11(3), the Director may, subject to the regulations, provide information received by the Director under this Act to any person who may have an interest in the financial affairs of the debtor and to any other person specified by the regulations.

(5) The *Maintenance Enforcement Amendment Act, 1999* is amended

(a) in section 3 in the new section 9.1

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

(4.1) Filing an agreement under subsection (1) does not affect the right of a party to the agreement to apply for a maintenance order in the Provincial Court.

(ii) by adding the following after subsection (8):

(9) This section does not apply to agreements entered into under the *Parentage and Maintenance Act*.

(10) An agreement to which this section applies may not vary an agreement entered into under the *Parentage and Maintenance Act*, and an agreement under the *Parentage and Maintenance Act* prevails over any term of an agreement under this section with which it conflicts.

(b) in section 13 by striking out “by repealing section 9(2.1)” and substituting “in section 9(2.1) by striking out “12,” ”.

(4) Section 11.3 presently reads:

11.3 If a debtor is in arrears in the payment of maintenance required under a maintenance order filed with the Director, the Director may, subject to the regulations, provide that information and any other ancillary information

- (a) to any person or organization that provides credit ratings in respect of persons,*
- (b) to any person who may have an interest in the financial affairs of the debtor, and*
- (c) to any other person specified by the regulations.*

(5) Amends chapter 25 of the Statutes of Alberta, 1999. Unproclaimed sections 9.1 and 13 presently read:

9.1(1) Where persons who are eligible to be parties to a maintenance order enter into an agreement that contains provisions providing for the payment of maintenance, either party may file that agreement with the Court of Queen's Bench.

(2) On

- (a) an agreement being filed with the Court under subsection (1), and*
- (b) the party filing the agreement giving notice of the filing to the other party and the Director,*

that agreement, subject to the regulations and during the time that the agreement remains filed with the Court, may be enforced and dealt with under this Act with respect to maintenance in the same manner as if the agreement were a maintenance order.

(3) Within 30 days from the day that a party to the agreement is notified under subsection (2)(b) of the filing of the agreement, either party may apply to the Court to have the filing set aside.

(4) On an application under subsection (3), the Court may set aside the filing of an agreement if the Court considers it appropriate to do so in the circumstances.

Podiatry Act

Amends RSA
1980 cP-11

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

(2) Section 4(1)(e) is amended by striking out “, which shall not exceed \$100 annually for any person”.

(5) *A maintenance order may not be varied by an agreement to which this section applies.*

(6) *An agreement to which this section applies may be varied by a maintenance order.*

(7) *Subject to the regulations, an agreement to which this section applies may be varied by a new agreement to which this section applies.*

(8) *This section applies only to agreements entered into on or after a day specified in the regulations that meet the requirements of the regulations.*

13 *The Court of Queen's Bench Act is amended by repealing section 9(2.1).*

Section 9(2.1) of the Court of Queen's Bench Act presently reads:

9 (2.1) *Notwithstanding subsection (2), the master in chambers has the same power and may exercise the same jurisdiction as the Court under sections 12, 13 and 21 to 25 of the Maintenance Enforcement Act.*

Podiatry Act

9(1) Amends chapter P-11 of the Revised Statutes of Alberta 1980.

(2) Section 4(1) presently reads:

4(1) Subject to the approval of the Lieutenant Governor in Council, the Association may pass by-laws not inconsistent with this Act respecting

- (a) the election of the Council;*
- (b) the appointment of a registrar and other officers as may be necessary for carrying out the purposes of the Association;*
- (c) the government and discipline of members;*
- (d) the management of its property;*
- (e) the maintenance of the Association and the fixing and collection of fees and contributions, which shall not exceed \$100 annually for any person;*
- (f) the registration of members of the Association;*
- (g) the time, place and conduct of the annual and other meetings of the Association;*

(h) all other matters the Council considers necessary or convenient for the management of the Association, the conduct of its business and promotion of its welfare.