

Bill 17
Mr. Klapstein

BILL 17

2004

AGRICULTURAL OPERATION PRACTICES AMENDMENT ACT, 2004

(Assented to , 2004)

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

Amends RSA 2000 cA-7

1 The *Agricultural Operation Practices Act* is amended by this Act.

2 Section 1 is amended

- (a) in clause (b)(x) by adding** “composting materials and compost,” **after** “manure,”;
- (b) by repealing clause (b.1) and substituting the following:**
 - (b.1) “apply manure, composting materials or compost” means to spread manure, composting materials or compost on agricultural land, or to spread manure, composting materials or compost on and to incorporate or inject manure, composting materials or compost into agricultural land;
- (c) by adding the following after clause (b.5):**
 - (b.51) “compost” means a solid mature product resulting from composting but does not include compost to which the *Fertilizers Act* (Canada) applies;
 - (b.52) “composting” means a managed process of bio-oxidation of composting materials, including a thermophilic phase;

(b.53) “composting materials” means organic material generated by an agricultural operation described in clause (b)(ii), (iv), (v) or (vi), other than carcasses or parts of carcasses, and includes other substances permitted by the regulations;

(d) by repealing clause (b.6) and substituting the following:

(b.6) “confined feeding operation” means fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include residences, livestock seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds;

(e) by adding the following after clause (c.2):

(c.21) “manure collection area” means the floor of a barn, the under-floor pits of a barn, the floor of a feedlot pen and a catch basin where manure collects but does not include the floor of a livestock corral;

(f) by repealing clause (c.3) and substituting the following:

(c.3) “manure storage facility” means a facility for the storage of manure, composting materials and compost and a facility for composting but does not include such a facility at an equestrian stable, an auction market, a race track or exhibition grounds;

(g) by adding the following after clause (f):

(f.1) “parcel of land” means parcel of land as defined in Part 17 of the *Municipal Government Act*;

3 Section 4 is repealed and the following is substituted:

Referral

4 The parties to a referral to the Minister under section 38.1 are the Board, the owner or operator about whom the referral is made and any other person the practice review committee considers to be directly affected.

4 Section 5(1) is amended

(a) by striking out “39” and substituting “38.1”;

(b) in clause (a)

(i) in subclause (i) by adding “without merit,” before “frivolous”;

(ii) by adding the following after subclause (i):

- (i.1) the subject-matter of the application or referral has already been considered by a practice review committee,
- (i.2) the subject-matter of the application or referral is the subject-matter of an enforcement order under section 39, a review being held by the Board under section 41 or an emergency order under section 42.1,

5 Section 9(2) is amended by adding “and, if admitted into evidence, must be considered in the proceeding” after “practice review committee members”.

6 Section 14(1) is amended by striking out “manure facility” and substituting “manure storage facility or manure collection area”.

7 Section 15 is repealed and the following is substituted:

Manure, composting materials, compost application

15 A person who applies manure, composting materials or compost must do so in a manner that does not contravene the regulations unless the person holds an approval, registration or authorization that contains a variance or contains a term or condition referred to in section 18.1(4) that authorizes that manner of application.

8 Section 17 is amended

(a) in subsection (1) by striking out “disposal of manure,” and substituting “disposal of manure, composting materials or compost,”;

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

(1.1) A person who wishes to alter an existing building or structure at a confined feeding operation or manure storage facility may apply to an approval officer or the Board for a variance of the requirements in the regulations respecting confined feeding operations and manure storage facilities, and an approval officer or the Board may grant a variance despite the regulations if in the opinion of an approval officer or the Board the variance would provide a greater degree of protection and safety than currently exists at the confined feeding operation or manure storage facility.

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

(2) An approval officer or the Board may include a variance in an approval, registration or authorization.

9 The following is added after section 18:

Deemed approvals, registrations and authorizations

18.1(1) If a confined feeding operation or manure storage facility

- (a) existed on January 1, 2002 with respect to which a licence, permit or other approval was not issued pursuant to the *Public Health Act* or with respect to which a development permit was not issued,
- (b) existed on January 1, 2002 with respect to which a licence, permit or other approval was issued pursuant to the *Public Health Act* or with respect to which a development permit was issued and that licence, permit, approval or development permit was in effect on January 1, 2002, or
- (c) was constructed pursuant to a development permit that was issued before January 1, 2002 or was issued as

described in section 10 of the *Agricultural Operation Practices Amendment Act, 2001*,

the owner or operator of the confined feeding operation or manure storage facility is deemed to have been issued an approval, registration or authorization under this Act.

(2) The capacity allowed by a deemed approval or registration pursuant to

- (a) subsection (1)(a) is the capacity of the enclosures to confine livestock at the confined feeding operation on January 1, 2002,
- (b) subsection (1)(b) is the capacity authorized by the licence, permit, approval or development permit or, if a capacity was not so authorized, the capacity of the enclosures to confine livestock at the confined feeding operation on January 1, 2002, and
- (c) subsection (1)(c) is the capacity authorized by the development permit.

(3) The capacity allowed by a deemed authorization pursuant to

- (a) subsection (1)(a) is the capacity of the manure storage facility on January 1, 2002,
- (b) subsection (1)(b) is the capacity authorized by the licence, permit, approval or development permit or, if a capacity was not so authorized, the capacity of the manure storage facility on January 1, 2002, and
- (c) subsection (1)(c) is the capacity authorized by the development permit.

(4) Subject to subsection (5), the terms and conditions of a deemed approval, registration or authorization are those in the licence, permit or other approval issued pursuant to the *Public Health Act* or in the development permit described in subsection (1), and the terms and conditions continue to apply despite the regulations until

- (a) an enforcement order or an emergency order is issued with respect to the confined feeding operation or the manure storage facility, or
- (b) the terms or conditions are amended when the deemed approval, registration or authorization is amended in accordance with this Act.

(5) If a development permit described in subsection (1) includes terms or conditions that require the permit holder or owner or operator to undertake tests or evaluations or to submit information to the municipality, the holder, owner or operator must continue to undertake the tests and evaluations but must submit the information to the Board for use in administering this Act.

10 Section 19 is amended by adding the following after subsection (1):

(1.1) Despite subsection (1), if in the opinion of the approval officer the proposed amendment is related to a minor alteration to an existing building or structure at a confined feeding operation or manure storage facility that will result in a minimal change to its risk, if any, to the environment and a minimal change to a disturbance, if any, notification is not required under subsection (1).

11 Section 20 is amended

(a) in subsection (1)

- (i) **by striking out** “plan and if,” **and substituting** “plan land use provisions, and if”;
- (ii) **in clause (a) by striking out** “plan,” **and substituting** “plan land use provisions,”;
- (iii) **in clause (b) by striking out** “plan” **and substituting** “plan land use provisions”;

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

(1.1) In considering under subsection (1) whether an application is consistent with the municipal development plan

land use provisions, an approval officer shall not consider any provisions respecting tests or conditions related to the construction of or the site for a confined feeding operation or manure storage facility nor any provisions respecting the application of manure, composting materials or compost.

(1.2) In considering whether an application for an amendment to an approval meets the requirements of the regulations, an approval officer

- (a) shall not consider whether the existing buildings and structures meet the requirements of the regulations unless in the opinion of the approval officer the existing buildings and structures may cause a risk to the environment, but
- (b) must consider whether the proposed expansion or alteration of an existing building or structure or any proposed new building or structure meets the requirements of the regulations.

12 Section 21 is amended

(a) in subsection (1) by adding “, and in the case of an application for a registration or an amendment of a registration must notify the owners or occupants of land within the greater of 1/2 mile or the minimum distance separation, as determined in accordance with the regulations, of the parcel of land on which the confined feeding operation is located or is to be located,” before “within the time period”;

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

(1.1) Despite subsection (1), if in the opinion of the approval officer the proposed amendment is related to a minor alteration to a building or structure at a confined feeding operation or manure storage facility that will result in a minimal change to its risk, if any, to the environment and a minimal change to a disturbance, if any, notification is not required under subsection (1).

(c) in subsection (2) by adding “and affected persons determined to be directly affected parties under subsection (5)” **after** “persons”;

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

(3) An owner or occupant notified under subsection (1) is an affected person who may, within 10 working days,

(a) apply, with written reasons, to an approval officer for a determination as to whether the affected person is a directly affected party, and

(b) make written submissions to an approval officer on the application respecting whether the application meets the requirements of the regulations.

(4) An applicant under subsection (3)(a) must provide further information relevant to the application on the request of an approval officer.

(5) The approval officer must determine whether the applicant under subsection (3) is a directly affected party and notify the applicant in writing of the approval officer’s determination.

13 Section 22 is amended

(a) in subsection (1)

(i) by striking out “plan and if” **and substituting** “plan land use provisions, and if”;

(ii) in clauses (a) and (b) by striking out “plan,” **and substituting** “plan land use provisions,”;

(b) in subsection (2)

(i) by striking out “plan and determine” **and substituting** “plan land use provisions and determine”;

(ii) in clause (b) by adding “land use provisions” **after** “plan”;

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

(2.1) In considering, under subsection (1) or (2), whether an application is consistent with the municipal development plan land use provisions, an approval officer shall not consider any provisions respecting tests or conditions related to the construction of or the site for a confined feeding operation or manure storage facility nor any provisions respecting the application of manure, composting materials or compost.

(2.2) In considering whether an application for an amendment to a registration or authorization meets the requirements of the regulations, an approval officer

- (a) shall not consider whether the existing buildings and structures meet the requirements of the regulations unless in the opinion of the approval officer the existing buildings and structures may cause a risk to the environment, but
- (b) must consider whether the proposed expansion or alteration of an existing building or structure or any proposed new building or structure meets the requirements of the regulations.

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

(3.1) The approval officer must provide a written copy of a decision under subsection (1) or (2) to the affected persons described in section 21(3).

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

(5) An affected person who was determined under section 21(5) not to be a directly affected party may, with written reasons,

- (a) within 10 working days of receipt of the decision under subsection (3.1), apply to the Board for a review of whether the affected person is a directly affected party, and
- (b) apply to the Board, in accordance with the regulations, for a review of the decision under subsection (1) or (2).

(6) An applicant under subsection (5)(a) must provide further information relevant to the application on the request of the Board.

(7) The Board must determine whether an applicant under subsection (5) is a directly affected party and notify the applicant in writing of the Board's determination.

(8) If an applicant is determined under this section to be a directly affected party, the Board must consider the applicant's application under subsection (5)(b), if any, for a review of the decision.

14 Section 25(4) is amended

(a) **in clause (h) by striking out "must" and substituting "may";**

(b) **by adding the following after clause (h):**

(h.1) must consider reports made by a practice review committee submitted at the review,

(c) **in clauses (i), (j) and (k) by striking out "must" and substituting "must, in the case of an approval,".**

15 Section 28 is amended by repealing subsection (2) and substituting the following:

(2) If a sale, assignment or other disposition of an approval, registration or authorization does not consist of the entire interest in the approval, registration or authorization or is a sale, assignment or other disposition to more than one person who wish to split the operation of the confined feeding operation or manure storage facility that is the subject of the approval, registration or authorization, the persons acquiring an interest in the approval, registration or authorization may apply for one or more approvals, registrations or authorizations.

(3) On considering an application under subsection (2),

(a) if an approval officer is of the opinion that issuing one or more approvals, registrations or authorizations will result

in a minimal change to the risk, if any, of the confined feeding operation or manure storage facility to the environment and a minimal change to a disturbance, if any, and that the confined feeding operation or manure storage facility will not be increased in capacity, the approval officer may without notice grant the application without considering whether the existing buildings and structures meet the requirements of the regulations with respect to confined feeding operations and manure storage facilities, but

- (b) in all other circumstances, the approval officer must consider the application as if it were an application received under section 18.

(4) If an approval officer issues one or more approvals, registrations or authorizations under subsection (3)(a), the terms and conditions of the existing approval, registration or authorization are, where applicable, the terms and conditions of the new approvals, registrations or authorizations.

16 Section 29(1) is amended

- (a) by striking out “if”;
- (b) in clause (a) by adding “if” before “the holder”;
- (c) by striking out “or” at the end of clause (a) and adding the following after clause (a):
 - (a.1) on the issuance of one or more approvals, registrations or authorizations pursuant to a sale, assignment or other disposition described in section 28, or
- (d) in clause (b) by adding “if” before “the confined”.

17 Section 30(2)(a) is amended by striking out “manure” and substituting “manure, composting materials or compost”.

18 The following is added after section 38:

Request for committee

38.1 If in the opinion of the Board a person may be creating an inappropriate disturbance, the Board may refer the matter to the Minister and request the Minister to establish a practice review committee.

19 Section 39(1)(a) is repealed.

20 The following is added after section 42:

Emergency order

42.1(1) If an inspector is of the opinion that

- (a) a release of manure, composting materials or compost into the environment may occur, is occurring or has occurred, and
- (b) the release may cause, is causing or has caused an immediate and significant risk to the environment,

the inspector may issue an emergency order to the person responsible for the manure, composting materials or compost, directing the performance of emergency measures that the inspector considers necessary.

(2) Subsection (1) applies whether or not the release of the manure, composting materials or compost into the environment is or was expressly authorized by or is or was in compliance with an approval, a registration or an authorization.

Failure to comply with an emergency order

42.2(1) If the person to whom an emergency order is issued fails to comply with the emergency order, the Board may take whatever action the Board considers necessary to carry out the terms of the emergency order.

(2) Costs incurred by the Board under this section are recoverable by the Government in an action in debt against the person to whom the emergency order was issued.

(3) The person to whom the emergency order was issued may, within 30 days of being notified by the Board of the costs, apply to the Board for a review of the amount of the costs.

(4) For the purposes of this section, the costs referred to in subsections (2) and (3) are the costs incurred by the Board in carrying out the emergency order.

21 Section 43 is amended by adding “or an emergency order” after “enforcement order”.

22 Section 44(2) is amended by adding the following after clause (c):

(c.1) respecting composting, composting materials and compost;

23 The *Agricultural Operation Practices Amendment Act, 2001* is amended by repealing sections 11 and 12.

24 This Act comes into force on Proclamation.

Explanatory Notes

1 Amends chapter A-7 of the Revised Statutes of Alberta 2000.

2 Section 1 presently reads in part:

1 In this Act,

(b) “*agricultural operation*” means an agricultural activity conducted on agricultural land for gain or reward or in the

hope or expectation of gain or reward, and includes

- (ii) the raising of livestock, including game-production animals within the meaning of the Livestock Industry Diversification Act and poultry,*
 - (iv) the production of agricultural field crops,*
 - (v) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops,*
 - (vi) the production of eggs and milk,*
 - (x) the collection, transportation, storage, application, use, transfer and disposal of manure, and*
- (b.1) “apply manure” means to spread manure on, to spread manure on and incorporate manure into, or to inject manure into, agricultural land;*
- (b.6) “confined feeding operation” means an activity on land that is fenced or enclosed or within buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing, but does not include seasonal feeding and bedding sites;*
- (c.3) “manure storage facility” means a storage facility for manure;*
- (f) “owner or operator”, when used with reference to an agricultural operation, means*
- (i) the owner and previous owner of an agricultural operation or the land where it is or was situated,*
 - (ii) every person who has or has had charge, management or control of an agricultural*

operation or the land where it is or was situated,

- (iii) any successor, assignee, executor, administrator, receiver, receiver-manager or trustee of a person referred to in subclause (i) or (ii), and*
- (iv) a person who acts as the principal or agent of a person referred to in subclause (i), (ii) or (iii);*

3 Section 4 presently reads:

4 The parties to a referral under section 39 are the Board and the persons to whom the enforcement order is directed.

4 Section 5(1)(a) presently reads:

5(1) On receipt of an application under section 3 or a referral under section 39 the Minister may

- (a) refuse to consider the application or referral if, in the Minister's opinion,*
 - (i) the subject-matter of the application or referral is frivolous or vexatious,*
 - (ii) the application or referral is not made in good faith, or*
 - (iii) the applicant or person aggrieved does not have a sufficient connection to the subject-matter of the application,*

or

5 Section 9(2) presently reads:

(2) In any proceeding arising out of a matter giving rise to an application under this Part, a certificate purporting to be signed by a person authorized by the Minister to issue such a certificate stating that the document attached to the certificate is a true copy of an agreement entered into by the parties, or of recommendations issued under subsection (1) by a practice review committee, may be admitted into evidence, in the absence of evidence to the contrary, of the agreement or recommendations without proof of the signature or official character of the person signing it, the parties to the agreement or the practice review committee members.

6 Section 14(1) presently reads:

14(1) No person shall commence construction, expansion or modification of a manure facility for which an authorization is required pursuant to the regulations or commence construction, expansion or modification of a manure storage facility for manure that is in a predominantly liquid state or manure to which water has been added unless

- (a) the person holds an authorization that authorizes the construction, expansion or modification, or*
- (b) the person holds an approval or registration that authorizes the construction, expansion or modification.*

7 Section 15 presently reads:

15 A person who applies manure must do so in a manner that does not contravene the regulations unless the person holds an approval, registration or authorization that contains a variance that authorizes that manner of manure application.

8 Section 17 presently reads:

17(1) A person may apply to an approval officer or the Board for a variance of the requirements in the regulations respecting confined feeding operations, manure storage facilities or the collection, transportation, storage, application, use, transfer or disposal of manure, and an approval officer or the Board may grant a variance if in the opinion of an approval officer or the Board the variance provides the same or a greater degree of protection and safety as that provided for by the regulations.

(2) An approval officer or the Board may include a variance in an approval or authorization, but only the Board may include a variance in a registration.

(3) The Regulations Act does not apply to a variance.

(4) Compliance with a variance is deemed to be compliance with the requirements of the regulations it varies.

9 Deemed approvals, registrations and authorizations.

10 Section 19(1) presently reads:

19(1) On receipt of an application for an approval or an amendment of an approval, the approval officer may notify or require the applicant to notify the affected persons, and the approval officer may notify or require the applicant to notify persons and organizations who are to be notified under the Environmental Protection and Enhancement Act and the Water Act with respect to the subject-matter of the application under this section and any other persons or organizations the approval officer considers appropriate.

11 Section 20(1) presently reads:

20(1) In considering an application for an approval or an amendment of an approval, an approval officer

must consider whether the applicant meets the requirements of this Part and the regulations and whether the application is consistent with the municipal development plan and if, in the opinion of the approval officer,

- (a) the requirements are not met or there is an inconsistency with the municipal development plan, the approval officer must deny the application, or*
- (b) there is no inconsistency with the municipal development plan and the requirements are met or a variance may be granted under section 17 and compliance with the variance meets the requirements of the regulations, the approval officer*
 - (i) must consider matters that would normally be considered if a development permit were being issued,*
 - (ii) may make, or require the applicant to make, inquiries and investigations and prepare studies and reports,*
 - (iii) must give directly affected parties a reasonable opportunity to review the information relevant to the application that is submitted to the approval officer and a reasonable opportunity to furnish evidence and written submissions relevant to the application,*
 - (iv) may hold meetings and other proceedings with respect to the applications,*
 - (v) may provide or facilitate mediation among directly affected parties,*
 - (vi) must consider the effects the proposed approval or amended approval may have on natural resources administered by ministries,*

- (vii) *must consider the following if available when the application for approval is considered: any applicable statement of concern submitted under section 73 of the Environmental Protection and Enhancement Act or under section 109 of the Water Act and any written decision of the Environmental Appeal Board or the Director under the Water Act in respect of the subject-matter of the approval,*
- (viii) *may consider any evidence that was before the Environmental Appeal Board or the Director under the Water Act in relation to the written decision referred to in subclause (vii), and*
- (ix) *must consider the effects on the environment, the economy and the community and the appropriate use of land.*

12 Section 21 presently reads:

21(1) On receipt of an application for a registration, an amendment of a registration, an authorization or an amendment of an authorization, the approval officer must notify municipalities that are affected persons in accordance with the regulations within the time period required by the regulations.

(2) The only directly affected parties of an application under subsection (1) are the applicant and the municipalities that are affected persons.

13 Section 22 presently reads:

22(1) In considering an application for a registration or an amendment of a registration, the approval officer must determine whether the applicant meets the requirements of this Part and the regulations and whether the application is

inconsistent with the municipal development plan and if, in the opinion of the approval officer,

- (a) the requirements are not met or there is an inconsistency with the municipal development plan, the approval officer must deny the application, or*
- (b) the requirements are met and there is no inconsistency with the municipal development plan, the approval officer may grant a registration or an amendment of a registration and may impose terms and conditions on the registration or amendment, including the terms and conditions that a municipality could impose if the municipality were issuing a development permit.*

(2) In considering an application for an authorization or an amendment of an authorization, the approval officer must determine whether there is an inconsistency with the municipal development plan and determine whether the applicant meets the requirements of

this Part and the regulations and if, in the opinion of the approval officer,

- (a) there is an inconsistency or the requirements are not met, the approval officer must deny the application, or*
- (b) there is no inconsistency with the municipal development plan and the requirements are met, or a variance may be granted under section 17 and compliance with the variance meets the requirements of the regulations, the approval officer may grant an authorization or an amendment of an authorization, may include a variance and may impose terms and conditions on the authorization or amendment including the terms and conditions that a municipality could impose if the municipality were issuing a development permit.*

(3) The approval officer must provide a written copy of a decision under subsection (1) or (2) to the directly affected parties.

(4) A directly affected party may, within 10 working days of receipt under subsection (3), of a copy of a decision, apply to the Board, in accordance with the regulations, for a review of the decision.

14 Section 25(4) presently reads:

(4) In conducting a review the Board

- (a) may arrange a mediation among the applicant and the directly affected parties,*
- (b) must give the directly affected parties a reasonable opportunity to review information relevant to the review,*
- (c) must give the directly affected parties a reasonable opportunity to furnish evidence and written submissions relevant to the review,*
- (d) may hold meetings and other proceedings with respect to the review,*
- (e) in the case of an approval or an amendment of an approval, may hold hearings,*
- (f) may make, or require the applicant to make, inquiries and investigations and prepare studies and reports,*
- (g) must have regard to, but is not bound by, the municipal development plan,*
- (h) must consider matters that would normally be considered if a development permit were being issued,*

- (i) *must consider how the proposed application would affect natural resources administered by ministries,*
- (j) *must consider any applicable written decision of the Environmental Appeal Board or the Director under the Water Act in respect of the subject-matter of the approval or registration and may consider any evidence that was before the Environmental Appeal Board or the Director under the Water Act in relation to that written decision, and*
- (k) *must consider the effects on the environment, the economy and the community and the appropriate use of land.*

15 Section 28 presently reads:

28(1) A person who buys, receives assignment of or otherwise acquires an approval, registration or authorization must notify the Board in accordance with the regulations.

(2) A sale, assignment or other acquisition of an approval, registration or authorization must be an unconditional sale, assignment or other disposition of the entire interest in the approval, registration or authorization.

16 Section 29 presently reads:

29(1) The Board may cancel an approval, registration or authorization if

- (a) *the holder requests or consents to the cancellation, or*
- (b) *the confined feeding operation or manure storage facility to which the approval, registration or authorization relates is abandoned.*

(2) The Board may include terms and conditions in a cancellation.

17 Section 30(2) presently reads:

(2) In carrying out an inspection under this section, an inspector may

- (a) require that any equipment used to manage manure be operated, used or set in motion under conditions specified by the inspector,*
- (b) take samples of anything connected with an agricultural operation,*
- (c) conduct tests or take measurements,*
- (d) demand production of, inspect and make copies of or take extracts from any record, approval, registration or authorization and on giving a receipt for it remove it for not more than 48 hours for the purpose of making copies of it,*
- (e) record or copy any information by any method,*
- (f) take photographs or audio-video records, and*
- (g) make reasonable inquiries of any person, orally or in writing.*

18 Request for committee.

19 Section 39(1) presently reads in part:

39(1) If in the opinion of the Board a person is creating a risk to the environment or an inappropriate disturbance, or is contravening or has contravened an approval, registration, authorization, variance, terms or conditions of a

cancellation, this Act or the regulations, the Board may, whether or not the person has been charged or convicted in respect of the contravention, issue an enforcement order ordering any of the following:

- (a) referring the matter to the Minister and requesting the Minister to establish a practice review committee to mediate or facilitate mediation of the matter;*

20 Emergency orders.

21 Section 43 presently reads:

43 If an enforcement order is issued to more than one person, all persons named in the order are jointly responsible for carrying out the terms of the order.

22 Regulation-making power.

23 Consequential.

24 Proclamation.