

2008 Bill 1

First Session, 27th Legislature, 57 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 1

TRADE, INVESTMENT AND LABOUR MOBILITY AGREEMENT IMPLEMENTATION STATUTES AMENDMENT ACT, 2008

THE PREMIER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 1

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2008

TRADE, INVESTMENT AND LABOUR MOBILITY AGREEMENT IMPLEMENTATION STATUTES AMENDMENT ACT, 2008

(Assented to _____, 2008)

Preamble

WHEREAS the Government of Alberta is demonstrating leadership, both nationally and internationally, in the pursuit of freer trade within Canada;

WHEREAS the Government of Alberta recognizes the benefits of eliminating barriers that restrict or impair trade, investment or labour mobility;

WHEREAS the Government of Alberta has entered into the Trade, Investment and Labour Mobility Agreement (TILMA) with the Government of British Columbia to further the purpose of reducing and progressively eliminating barriers that restrict or impair trade, investment or labour mobility between the provinces; and

WHEREAS the Government of Alberta believes that the implementation of the Agreement is in the interest of Albertans;

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

Government Organization Act

Amends RSA 2000 cG-10

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

Explanatory Notes

Government Organization Act

1(1) Amends chapter G-10 of the Revised Statutes of Alberta 2000.

(2) Schedule 6 is amended by repealing the heading preceding section 5 and section 5.

(2) The heading preceding section 5 and section 5 to Schedule 6 presently read:

*Trade, Investment and Labour
Mobility Agreement*

5(1) In this section,

(a) *“panel” means a panel convened under Article 29 of TILMA;*

(b) *“TILMA” means the Trade, Investment and Labour Mobility Agreement between British Columbia and Alberta, dated April 28, 2006;*

(c) *“TILMA award” means*

(i) *a monetary award issued under Article 29(7) of TILMA*

(A) *in respect of which judicial review has not been requested under Article 31(1) of TILMA within the period provided by that Article,*

(B) *in respect of which judicial review has been requested under Article 31(1) of TILMA within the period provided by that Article and which the court hearing the request has determined should neither be set aside nor remitted to a panel, or*

(C) *as confirmed or amended by a panel to which a court hearing a request for judicial review of an award under Article 31(1) of TILMA has remitted the award, and in respect of which further judicial review has not been requested under Article 31(1) of TILMA within the period provided by that Article,*

and

(ii) *costs apportioned under Article 32(1) of TILMA;*

(d) *the following terms have the meaning given to them by Part VII of TILMA:*

(i) *administrator;*

(ii) *Party;*

(iii) *person.*

(3) The following is added after Schedule 6:

Schedule 6.1

**Trade, Investment and Labour
Mobility Agreement**

Definitions

1(1) In this Schedule,

- (a) “Agreement” means the Trade, Investment and Labour Mobility Agreement entered into by the governments of British Columbia and Alberta on April 28, 2006 and includes amendments to the Agreement;
- (b) “panel” means a panel convened under Article 29 of the Agreement;
- (c) “TILMA award” means
 - (i) a monetary award issued under Article 29(7) of the Agreement
 - (A) in respect of which judicial review has not been requested under Article 31(1) of the Agreement within the period provided by that Article,
 - (B) in respect of which judicial review has been requested under Article 31(1) of the Agreement within the period provided by that Article and which the court hearing the request has determined should neither be set aside nor remitted to a panel, or

(2) The Party or person entitled to a TILMA award may at any time file a certified copy of the TILMA award or of the compliance report issued under Article 29(6) of TILMA that contains the TILMA award with the clerk of the Court of Queen's Bench, and on being filed with the clerk of the Court of Queen's Bench the TILMA award has the same force and effect as if it were a judgment of the Court of Queen's Bench.

(3) For the purposes of subsection (2), a copy of a TILMA award or a compliance report must be certified by an administrator.

(3) Adds Schedule 6.1 to provide for the implementation of TILMA.

(C) as confirmed or amended by a panel to which a court hearing a request for judicial review of an award under Article 31(1) of the Agreement has remitted the award, and in respect of which further judicial review has not been requested under Article 31(1) of the Agreement within the period provided by that Article,

and

(ii) costs apportioned under Article 32(1) of the Agreement.

(2) Terms and expressions defined in the Agreement that are used in this Schedule and not otherwise defined in this Schedule apply to this Schedule.

Assigning responsibilities of Government

2 The Minister of Intergovernmental and International Relations is responsible for

- (a) carrying out on behalf of the Government of Alberta any of its powers or duties under the Agreement, or
- (b) exercising on behalf of the Government of Alberta any discretion it has under the Agreement.

Enforcement of TILMA awards

3(1) The Party or person entitled to a TILMA award may at any time file a certified copy of the TILMA award or of the compliance report issued under Article 29(6) of the Agreement that contains the TILMA award with the clerk of the Court of Queen's Bench, and on being filed with the clerk of the Court of Queen's Bench the TILMA award has the same force and effect as if it were a judgment of the Court of Queen's Bench.

(2) For the purposes of subsection (1), a copy of a TILMA award or a compliance report must be certified by an administrator.

Prohibition on private cause of action

4(1) Subject to subsection (2), no legal proceeding lies or may be brought or continued against the Government of Alberta or another person to enforce or determine a right or obligation that

is claimed or arises solely under the Agreement or the Agreement as interpreted by a joint decision issued under Article 34(4) of the Agreement.

(2) Subsection (1) does not apply to a proceeding that is contemplated by Part IV of the Agreement.

(3) No legal proceeding lies or may be brought or continued against the Government of Alberta for compensation, damages or any other remedy for anything arising as a consequence of a joint decision issued under Article 34(4) of the Agreement.

(4) This section is deemed to have come into force on April 1, 2007.

Information sharing

5(1) The Lieutenant Governor in Council may make regulations respecting the collection, use and disclosure of information, including personal information, to enable consultation under and compliance with the requirements of the Agreement.

(2) Where information that

- (a) is subject to any type of legal privilege, including solicitor-client privilege or parliamentary privilege,
- (b) is subject to any kind of confidence, including Cabinet or Treasury Board confidence and intergovernmental confidence, or
- (c) is supplied, explicitly or implicitly, in confidence,

is disclosed under an agreement entered into between the Parties, under a regulation made under subsection (1) or otherwise pursuant to the Agreement, the disclosure of that privileged or confidential information does not waive or negate any privilege or confidence attached to that information, and the privilege or confidence continues for all other purposes.

Application of Arbitration Act

6 The *Arbitration Act* does not apply to the Agreement, except as provided in Article 31 of the Agreement.

(4) Schedule 12 is amended

(a) in section 3 by adding the following after subsection (4):

(5) If the regulations establish a limit or condition on a service charge that a registry agent may collect for providing a registry service, a registry agent may not charge or collect a service charge that contravenes the limit or condition.

(b) in section 12(1) by adding the following after clause (d):

(d.1) respecting limits or conditions on the service charges that a registry agent may charge for providing registry services;

Business Corporations Act

Amends RSA 2000 cB-9

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

(2) The heading preceding section 276 is repealed and the following is substituted:

**Part 21
Extra-provincial Corporations
and Extra-provincial
Requirements**

(3) Section 281 is repealed.

(4) Schedule 12, sections 3 and 12 presently read in part:

3(1) The Minister may enter into an agreement with a person under which the person is authorized to be a registry agent.

(2) Notwithstanding that an enactment provides that a statutory function is to be carried out by a statutory officer, a registry agent may carry out that statutory function where permitted to do so under this Schedule, the regulations or an agreement entered into under this Schedule.

(3) Subject to this Schedule, where a registry agent provides registry services for a member of the public, the registry agent may, for the registry agent's own benefit, charge and collect from that member of the public a service charge for providing those registry services.

(4) If the regulations establish a maximum or minimum amount of a service charge that a registry agent may collect for providing a registry service, a registry agent may not charge or collect a service charge that is greater than that maximum amount or less than that minimum amount, as the case may be.

12(1) The Minister may make regulations

Business Corporations Act

2(1) Amends chapter B-9 of the Revised Statutes of Alberta 2000.

(2) The heading preceding section 276 presently reads:

*Part 21
Extra-provincial Corporations*

(3) Section 281 presently reads:

281(1) This section applies only to an extra-provincial corporation that is incorporated in Canada.

(2) The Minister may make regulations

(4) Section 282(1)(b)(i) is amended by striking out “whether in existence or not” **and substituting** “unless the body corporate has been dissolved for a period of 6 years or more”.

(5) The following is added after section 293:

**Division 2.1
Special Rules Respecting
Extra-provincial
Requirements**

Definition

293.1 In this Division,

- (a) *respecting applications for registration of extra-provincial corporations;*
- (b) *respecting the reinstatement of the registration of extra-provincial corporations;*
- (c) *respecting the furnishing of information to the Registrar regarding changes in the charter, head office or directors of extra-provincial corporations;*
- (d) *respecting the filing of instruments of amalgamation that relate to extra-provincial corporations;*
- (e) *respecting documentation to be issued by the Registrar in relation to matters governed by regulations made under this section;*
- (f) *exempting extra-provincial corporations from the operation of sections 280, 285(3), 289 and 290;*
- (g) *classifying or otherwise designating or specifying those extra-provincial corporations to which a regulation made under this section applies.*

(4) Section 282(1) presently reads in part:

282(1) Subject to the circumstances and conditions prescribed by the regulations, an extra-provincial corporation must not be registered with a name or carry on business within Alberta under an assumed name

(b) that is identical to the name of

(i) a body corporate incorporated under the laws of Alberta, whether in existence or not,

(5) Adds Division 2.1, which provides for an alternative process for extra-provincial corporations.

- (a) “extra-provincial registrar” means a person in a jurisdiction in Canada who performs a function in that jurisdiction similar to the function that the Registrar performs under this Act;
- (b) “extra-provincial requirements” means
 - (i) the registration and other requirements set out in this Part, and
 - (ii) the registration and other requirements set out under the laws of another jurisdiction in Canada that are similar to the requirements set out in this Part.

Agreements

293.2(1) The Registrar may enter into an agreement with an extra-provincial registrar to address the following matters:

- (a) the collection by the extra-provincial registrar of applications, information, forms, notices, fees and other things relating to extra-provincial requirements referred to in section 293.1(b)(i) for the Registrar and any matter relating to the collection of those things and their transmission to the Registrar;
- (b) the collection by the Registrar of applications, information, forms, notices, fees and other things under the laws of another jurisdiction in Canada relating to extra-provincial requirements referred to in section 293.1(b)(ii) for the extra-provincial registrar of that jurisdiction and any matter relating to the collection of those things and their transmission to the extra-provincial registrar.

(2) An agreement referred to in subsection (1) may provide for any matter the Registrar considers appropriate, including setting out the powers and duties of the Registrar and the extra-provincial registrar in respect of the matters addressed in the Agreement.

Regulations

293.3 The Lieutenant Governor in Council may make regulations

- (a) classifying or otherwise designating or specifying those extra-provincial registrars to which a regulation made under this section applies;
- (b) classifying or otherwise designating or specifying those extra-provincial corporations to which a regulation made under this section applies;
- (c) respecting the collection by the Registrar of applications, information, forms, notices, fees and other things relating to extra-provincial requirements referred to in section 293.1(b)(ii) from corporations for an extra-provincial registrar and the transmission of those things to the extra-provincial registrar;
- (d) respecting extra-provincial requirements referred to in section 293.1(b)(i) for extra-provincial corporations, including, without limitation, regulations respecting
 - (i) applications for registration of extra-provincial corporations,
 - (ii) annual returns and other returns of extra-provincial corporations,
 - (iii) the reinstatement of registrations of extra-provincial corporations,
 - (iv) changes in the name, charter, head office, directors or attorneys for service of extra-provincial corporations,
 - (v) amalgamations of extra-provincial corporations,
 - (vi) liquidation of extra-provincial corporations, and
 - (vii) the cancellation of registrations of extra-provincial corporations;
- (e) respecting forms that may be required for the purposes of regulations made under this section;
- (f) respecting the documentation to be issued by the Registrar;

- (g) providing for fees for the provision of services under regulations made under this section and respecting the payment and collection of the fees;
- (h) respecting the furnishing of applications, information, forms, notices, fees and other things to the Registrar;
- (i) exempting an extra-provincial corporation from the operation of all or part of this Part;
- (j) respecting the retention of documents by applicants;
- (k) defining words and expressions used but not defined in this Division.

Regulation prevails

293.4 Where there is a conflict or inconsistency between a provision of a regulation made under section 293.3 and a provision of this Act, the provision of the regulation prevails to the extent of the conflict or inconsistency.

Coal Conservation Act

Amends RSA 2000 cC-17

3(1) The *Coal Conservation Act* is amended by this section.

(2) Section 33 is amended

(a) in subsection (1) by striking out “Every” and substituting “Subject to the regulations made under subsection (6), every”;

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

(6) The Board may make regulations respecting the exemption of holders of a permit, licence or approval or classes of holders of a permit, licence or approval from the application of some or all of the requirements of this section, subject to any terms and conditions provided for in the regulations, including the substitution of any other requirements.

Coal Conservation Act

3(1) Amends chapter C-17 of the Revised Statutes of Alberta 2000.

(2) Section 33 presently reads:

33(1) Every holder of a permit or licence under Part 4 or an approval under section 23 shall register the holder's address with the Board and, if resident outside Alberta,

- (a) register with the Board an address for service in Alberta,*
- (b) appoint an agent in Alberta to carry out the holder's duties and responsibilities under this Act, and*
- (c) notify the Board in writing of the name and address of the agent.*

(2) A holder of a permit, licence or approval under Part 4 or 5 who is resident in Alberta

Cooperatives Act

Amends SA 2001 cC-28.1

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

(2) The heading preceding section 365 is repealed and the following is substituted:

Part 17 Extra-provincial Cooperatives and Extra-provincial Requirements

(3) Section 370 is repealed.

- (a) *may carry out the holder's duties and responsibilities under this Act directly or through an agent, and*
 - (b) *if the holder appoints an agent, shall notify the Board in writing of the name and address of the agent.*
- (3) *The appointment of an agent in accordance with subsection (1) or (2) and the registration of the agent's appointment and address with the Board does not relieve the holder of the permit, licence or approval of any duty or responsibility under this Act.*
- (4) *If any of the registered addresses, or the agent appointed in accordance with subsection (1) or (2), is changed, the holder of the permit, licence or approval shall register the change with the Board within 15 days after it.*
- (5) *If the holder of a permit or licence under Part 4 has not appointed an agent, the manager is deemed to be an agent with respect to all operations at the particular mine site or mine.*

Cooperatives Act

4(1) Amends chapter C-28.1 of the Statutes of Alberta, 2001.

(2) The heading preceding section 365 presently reads:

*Part 17
Extra-provincial Cooperatives*

(3) Section 370 presently reads:

370(1) This section applies only to an extra-provincial cooperative that is incorporated in Canada.

(2) The Minister may make regulations

- (a) respecting applications for registration of extra-provincial cooperatives;*
- (b) respecting the reinstatement of the registration of extra-provincial cooperatives;*

(4) The following is added after section 382:

**Division 2.1
Special Rules Respecting
Extra-provincial Requirements**

Definition

382.1 In this Division,

- (a) “extra-provincial director” means a person in a jurisdiction in Canada who performs a function in that jurisdiction similar to the function that the Director performs under this Act;
- (b) “extra-provincial requirements” means
 - (i) the registration and other requirements set out in this Part, and
 - (ii) the registration and other requirements set out under the laws of another jurisdiction in Canada that are similar to the requirements set out in this Part.

Agreements

382.2(1) The Director may enter into an agreement with an extra-provincial director to address the following matters:

- (c) respecting the furnishing of information to the Director regarding changes in the charter, head office or directors of extra-provincial cooperatives;*
 - (d) respecting the filing of instruments of amalgamation that relate to extra-provincial cooperatives;*
 - (e) respecting documentation to be issued by the Director in relation to matters governed by regulations made under this section;*
 - (f) exempting extra-provincial cooperatives from the operation of sections 369, 374(3), 378 and 379;*
 - (g) classifying or otherwise designating or specifying those extra-provincial cooperatives to which a regulation made under this section applies.*
- (4) Adds Division 2.1, which provides for an alternative process for extra-provincial cooperatives.

- (a) the collection by the extra-provincial director of applications, information, forms, notices, fees and other things relating to extra-provincial requirements referred to in section 382.1(b)(i) for the Director and any matter relating to the collection of those things and their transmission to the Director;
- (b) the collection by the Director of applications, information, forms, notices, fees and other things under the laws of another jurisdiction in Canada relating to extra-provincial requirements referred to in section 382.1(b)(ii) for the extra-provincial director of that jurisdiction and any matter relating to the collection of those things and their transmission to the extra-provincial director.

(2) An agreement referred to in subsection (1) may provide for any matter the Director considers appropriate, including setting out the powers and duties of the Director and the extra-provincial director in respect of the matters addressed in the agreement.

Regulations

382.3 The Minister may make regulations

- (a) classifying or otherwise designating or specifying those extra-provincial directors to which a regulation made under this section applies;
- (b) classifying or otherwise designating or specifying those extra-provincial cooperatives to which a regulation made under this section applies;
- (c) respecting the collection by the Director of applications, information, forms, notices, fees and other things relating to extra-provincial requirements referred to in section 382.1(b)(ii) from cooperatives for an extra-provincial director and the transmission of those things to the extra-provincial director;
- (d) respecting extra-provincial requirements referred to in section 382.1(b)(i) for extra-provincial cooperatives, including, without limitation, regulations respecting

- (i) applications for registration of extra-provincial cooperatives,
 - (ii) annual returns and other returns of extra-provincial cooperatives,
 - (iii) the reinstatement of registrations of extra-provincial cooperatives,
 - (iv) changes in the name, charter, head office, directors or attorneys for service of extra-provincial cooperatives,
 - (v) amalgamations of extra-provincial cooperatives,
 - (vi) liquidations of extra-provincial cooperatives, and
 - (vii) the cancellation of registrations of extra-provincial cooperatives;
- (e) respecting forms that may be required for the purposes of regulations made under this section;
 - (f) respecting the documentation to be issued by the Director;
 - (g) providing for fees for the provision of services under regulations made under this section and respecting the payment and collection of the fees;
 - (h) respecting the furnishing of applications, information, forms, notices, fees and other things to the Director;
 - (i) exempting an extra-provincial cooperative from the operation of all or part of this Part;
 - (j) respecting the retention of documents by applicants;
 - (k) defining words and expressions used but not defined in this Division.

Regulation prevails

382.4 Where there is a conflict or inconsistency between a provision of a regulation made under section 382.3 and a provision of this Act, the provision of the regulation prevails to the extent of the conflict or inconsistency.

Oil and Gas Conservation Act

Amends RSA 2000 cO-6

5(1) The *Oil and Gas Conservation Act* is amended by this section.

(2) Section 10(1) is amended by adding the following after clause (xx):

(xx.1) respecting the exemption of licensees or approval holders or classes of licensees or approval holders from the application of some or all of the requirements in section 91, subject to any terms and conditions provided for in the regulations, including the substitution of any other requirements;

(3) Section 91(2) is amended by striking out “Each” and substituting “Subject to the regulations made under section 10(1)(xx.1), each”.

Oil Sands Conservation Act

Amends RSA 2000 cO-7

6(1) The *Oil Sands Conservation Act* is amended by this section.

(2) Section 16(1) is amended by striking out “Each” and substituting “Subject to the regulations made under section 20(1)(t.1), each”.

Oil and Gas Conservation Act

5(1) Amends chapter O-6 of the Revised Statutes of Alberta 2000.

(2) Section 10(1)(xx) presently reads:

10(1) The Board may make regulations

(xx) respecting the definition of “resident” for the purposes of section 91;

(3) Section 91(2) presently reads:

(2) Each licensee and approval holder shall register its address with the Board and, in the case of a licensee or approval holder that is resident outside Alberta, shall

(a) appoint an agent within Alberta to carry out the licensee’s or approval holder’s duties and other responsibilities under this Act,

(b) notify the Board in writing of the appointment, and

(c) register with the Board the address in Alberta of the agent, which address shall also be the address for service of the licensee or approval holder in Alberta.

Oil Sands Conservation Act

6(1) Amends chapter O-7 of the Revised Statutes of Alberta 2000.

(2) Section 16 presently reads:

16(1) Each operator shall register with the Board the operator’s address and,

(a) if the operator is resident outside Alberta, shall

(i) register with the Board an address for service in Alberta,

(3) Section 20(1) is amended by adding the following after clause (t):

- (t.1) respecting the exemption of operators or classes of operators from the application of some or all of the requirements in section 16, subject to any terms and conditions provided for in the regulations, including the substitution of any other requirements;

Partnership Act

Amends RSA 2000 cP-3

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

- (ii) *appoint an agent within Alberta to carry out the operator's duties and responsibilities under this Act and the regulations,*
- (iii) *notify the Board in writing of the appointment of the agent under subclause (ii), and*
- (iv) *register with the Board the address in Alberta of the operator's agent,*

or

- (b) *if the operator is resident in Alberta,*
 - (i) *may carry out the operator's duties and responsibilities under this Act and the regulations through an agent, and*
 - (ii) *shall, if the operator carries out the operator's duties and responsibilities through an agent, notify the Board in writing of the appointment of the agent and register with the Board the address in Alberta of the agent.*

(2) The appointment of an agent in accordance with subsection (1) and the registration of the agent's appointment and address with the Board does not relieve the operator of any duty or responsibility under this Act or the regulations.

(3) If any of the addresses required or the agent appointed in accordance with subsection (1) is changed, the operator shall within 15 days after the change register the change with the Board.

(3) Section 20(1) presently reads in part:

20(1) The Board may make regulations

- (t) prescribing the forms to be used under this Act or the regulations, either generally or for a particular case;*

Partnership Act

7(1) Amends chapter P-3 of the Revised Statutes of Alberta 2000.

(2) The following is added after section 80:

Alternative registration process

80.1(1) In this section,

- (a) “extra-provincial limited partnership” means a partnership in Canada described in section 52(2);
- (b) “extra-provincial registrar” means a person in a jurisdiction in Canada who performs a function in that jurisdiction similar to the function that the Registrar performs under this Part;
- (c) “extra-provincial requirements” means
 - (i) the requirements set out in this Part, and
 - (ii) the requirements set out under the laws of another jurisdiction in Canada that are similar to the requirements set out in this Part.

(2) The Registrar may enter into an agreement with an extra-provincial registrar to address the following matters:

- (a) the collection by the extra-provincial registrar of documents, information, forms, notices, fees and other things relating to extra-provincial requirements referred to in subsection (1)(c)(i) for the Registrar and any matter relating to the collection of those things and their transmission to the Registrar;
- (b) the collection by the Registrar of documents, information, forms, notices, fees and other things under the laws of another jurisdiction in Canada relating to extra-provincial requirements referred to in subsection (1)(c)(ii) for the extra-provincial registrar of that jurisdiction and any matter relating to the collection of those things and their transmission to the extra-provincial registrar.

(3) An agreement referred to in subsection (2) may provide for any matter the Registrar considers appropriate, including setting out the powers and duties of the Registrar and the extra-provincial registrar in respect of the matters addressed in the agreement.

(2) Adds new section that provides for an alternative process for extra-provincial limited partnerships.

- (4) The Lieutenant Governor in Council may make regulations
- (a) classifying or otherwise designating or specifying those extra-provincial registrars to which a regulation made under this section applies;
 - (b) classifying or otherwise designating or specifying those extra-provincial limited partnerships to which a regulation made under this section applies;
 - (c) respecting the collection by the Registrar of documents, information, forms, notices, fees and other things relating to extra-provincial requirements referred to in subsection (1)(c)(ii) from limited partnerships for an extra-provincial registrar and the transmission of those things to the extra-provincial registrar;
 - (d) respecting extra-provincial requirements referred to in subsection (1)(c)(i) for extra-provincial limited partnerships, including, without limitation, regulations respecting
 - (i) applications for registration of extra-provincial limited partnerships,
 - (ii) changes to the certificates or other documents relating to the registration of extra-provincial limited partnerships, and
 - (iii) the cancellation of certificates or other documents of extra-provincial limited partnerships;
 - (e) respecting forms that may be required for the purposes of regulations made under this section;
 - (f) respecting the documentation to be issued by the Registrar;
 - (g) providing for fees for the provision of services under regulations made under this section and respecting the payment and collection of the fees;
 - (h) respecting the furnishing of documents, information, forms, notices, fees and other things to the Registrar;

- (i) exempting an extra-provincial limited partnership from the operation of all or part of this Part;
- (j) defining words and expressions used in this section but not defined in this Part.

(5) Where there is a conflict or inconsistency between a provision of a regulation made under subsection (4) and a provision of this Part, the provision of the regulation prevails to the extent of the conflict or inconsistency.

(3) Section 93 is amended by striking out “section 95” and substituting “section 95 or section 104.1”.

(4) The following is added after section 104:

Alternative registration process

104.1(1) In this section,

- (a) “extra-provincial limited liability partnership” means a partnership in Canada described in section 94(1);
- (b) “extra-provincial registrar” means a person in a jurisdiction in Canada who performs a function in that jurisdiction similar to the function that the Registrar performs under this Part;
- (c) “extra-provincial requirements” means
 - (i) the requirements set out in this Part, and
 - (ii) the requirements set out under the laws of another jurisdiction in Canada that are similar to the requirements set out in this Part.

(2) The Registrar may enter into an agreement with an extra-provincial registrar to address the following matters:

(3) Section 93 presently reads:

93 A partnership that has the status of a limited liability partnership under the laws of a jurisdiction outside Alberta shall be treated as an ordinary partnership with respect to rights and obligations that are acquired or incurred by the partnership under Alberta law while the partnership is carrying on business in Alberta before registration as an extra-provincial LLP under section 95.

(4) New section that provides for an alternative process for extra-provincial limited liability partnerships.

- (a) the collection by the extra-provincial registrar of documents, information, forms, notices, fees and other things relating to extra-provincial requirements referred to in subsection (1)(c)(i) for the Registrar and any matter relating to the collection of those things and their transmission to the Registrar;
 - (b) the collection by the Registrar of documents, information, forms, notices, fees and other things under the laws of another jurisdiction in Canada relating to extra-provincial requirements referred to in subsection (1)(c)(ii) for the extra-provincial registrar of that jurisdiction and any matter relating to the collection of those things and their transmission to the extra-provincial registrar.
- (3)** An agreement referred to in subsection (2) may provide for any matter the Registrar considers appropriate, including setting out the powers and duties of the Registrar and the extra-provincial registrar in respect of the matters addressed in the agreement.
- (4)** The Lieutenant Governor in Council may make regulations
- (a) classifying or otherwise designating or specifying those extra-provincial registrars to which a regulation made under this section applies;
 - (b) classifying or otherwise designating or specifying those extra-provincial limited liability partnerships to which a regulation made under this section applies;
 - (c) respecting the collection by the Registrar of documents, information, forms, notices, fees and other things relating to extra-provincial requirements referred to in subsection (1)(c)(ii) from limited liability partnerships for an extra-provincial registrar and the transmission of those things to the extra-provincial registrar;
 - (d) respecting extra-provincial requirements referred to in subsection (1)(c)(i) for extra-provincial limited liability partnerships, including, without limitation, regulations respecting

- (i) applications for, or amendments to, registrations of extra-provincial limited liability partnerships,
 - (ii) periodic and other returns of extra-provincial limited liability partnerships,
 - (iii) changes to the documents relating to the registration of extra-provincial limited liability partnerships, and
 - (iv) the cancellation of registrations of extra-provincial limited liability partnerships;
- (e) respecting forms that may be required for the purposes of regulations made under this section;
 - (f) respecting the documentation to be issued by the Registrar;
 - (g) providing for fees for the provision of services under regulations made under this section and respecting the payment and collection of the fees;
 - (h) respecting the furnishing of documents, information, forms, notices, fees and other things to the Registrar;
 - (i) exempting an extra-provincial limited liability partnership from the operation of all or part of this Part;
 - (j) respecting the sending to or serving on extra-provincial limited liability partnerships of notices or documents;
 - (k) defining words and expressions used in this section but not defined in this Part.

(5) Where there is a conflict or inconsistency between a provision of a regulation made under subsection (4) and a provision of this Part, the provision of the regulation prevails to the extent of the conflict or inconsistency.

Pipeline Act

Amends RSA 2000 cP-15

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

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

(w.1) respecting the exemption of licensees or classes of licensees from the application of some or all of the requirements in section 19, subject to any terms and conditions provided for in the regulations, including the substitution of any other requirements;

(3) Section 19(2) is amended by striking out “Each” and substituting “Subject to the regulations made under section 3(1)(w.1), each”.

Pipeline Act

8(1) Amends chapter P-15 of the Revised Statutes of Alberta 2000.

(2) Section 3(1)(w) presently reads:

3(1) The Board may make regulations

(w) respecting the definition of “resident” for the purpose of section 19;

(3) Section 19(2) presently reads:

(2) Each licensee of a pipeline shall register its address with the Board and, in the case of a licensee that is resident outside Alberta, shall

(a) appoint an agent within Alberta to carry out the licensee’s duties and other responsibilities under this Act,

(b) notify the Board in writing of the appointment, and

(c) register with the Board the address in Alberta of the agent, which address shall also be the address for service of the licensee in Alberta.

