

2009 Bill 32

Second Session, 27th Legislature, 58 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 32

ALBERTA PUBLIC AGENCIES GOVERNANCE ACT

MR. HORNE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 32
Mr. Horne

BILL 32

2009

ALBERTA PUBLIC AGENCIES GOVERNANCE ACT

(Assented to , 2009)

Table of Contents

Interpretation

- 1** Definitions and application of Act
- 2** Paramountcy

Mandate and Roles Documents

- 3** Contents of Mandate and Roles Document
- 4** Review of document
- 5** Document to be made public

Powers and Responsibilities of Ministers

- 6** Obligations of responsible Minister
- 7** Advice of public agency
- 8** Disclosure of information
- 9** Restrictions
- 10** Policies

Responsibilities of Public Agencies

- 11** Codes of conduct
- 12** Responsibilities

Members of Public Agencies

- 13** Recruitment of members
- 14** Term of office
- 15** Reappointment
- 16** Saving

Chief Executive Officers

- 17 Remuneration of chief executive officers
- 18 Restriction

Review of Public Agencies

- 19 Review

Regulations

- 20 Lieutenant Governor in Council regulations

Transitional Provisions, Consequential Amendments and Coming into Force

- 21 Transitional re Mandate and Roles Documents
- 22 Transitional re termination of appointments for indefinite term
- 23 Transitional re maximum years of service
- 24 Orders of Lieutenant Governor in Council
- 25 Application of sections 22 to 24
- 26-80 Consequential amendments
- 81 Coming into force

Preamble

WHEREAS Ministers of the Crown are accountable to the public for the activities and performance of public agencies in their ministries;

WHEREAS public agencies are responsible for their activities and for the fulfilment of their mandates, and are accountable to their responsible Minister respecting their activities, successes and failures;

WHEREAS public agencies require varying degrees of authority to fulfil their mandates; and

WHEREAS clear communication and transparency are desirable with respect to the governance, mandates and activities of public agencies;

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

Interpretation

Definitions and application of Act

1(1) In this Act,

- (a) “adjudicative function”, in respect of a public agency, means
 - (i) a function assigned or authorized to be performed by the public agency under an enactment, the performance of which includes
 - (A) the making of binding decisions in respect of applications, if the enactment authorizes the public agency to hold hearings respecting the applications,
 - (B) the making of binding decisions in respect of disputes, other than disputes respecting applications, or
 - (C) the hearing of reviews or appeals and the making of binding decisions in respect of those reviews or appeals,
 - (ii) any alternative dispute resolution process that is ancillary to a function described in subclause (i), and
 - (iii) a function specified in the regulations;
- (b) “application” means an application made under an Act for a permit, licence, approval or other benefit;
- (c) “advisory agency” means a public agency that performs advisory functions only and that does not administer a budget;
- (d) “chief executive officer” means the highest-ranking executive of a public agency who has primary responsibility for overseeing the day-to-day operations of the public agency, but does not include the chair of an advisory agency or of a public agency that performs only adjudicative functions and any educational or administrative functions ancillary to them;
- (e) “department” means a department established under the *Government Organization Act*;

- (f) “establishing enactment”, in respect of a public agency, means the Act or regulation that establishes or continues the public agency, but does not include a regulation made by a Minister;
- (g) “Mandate and Roles Document” means a Mandate and Roles Document described in section 3;
- (h) “member” means
 - (i) in respect of a public agency that is an unincorporated body, one of the members of the public agency, and
 - (ii) in respect of a public agency that is a corporation, one of the members of the public agency or its board, council or other governing body;
- (i) “public agency” means
 - (i) a corporation, other than a corporation incorporated by or under a local or private Act, all or a majority of whose members or directors are appointed or designated, either by their personal names or by their names of office, by an Act of the Legislature or regulations under an Act of the Legislature, by an order of the Lieutenant Governor in Council or of a Minister of the Crown or by any combination of those methods,
 - (ii) a corporation all of whose issued voting shares of every class are owned by the Crown or held in trust for the Crown or are partly owned by the Crown and partly held in trust for the Crown,
 - (iii) an unincorporated board, commission, council or other body that is not a department or part of a department, all or a majority of whose members are appointed or designated, either by their personal names or by their names of office, by an Act of the Legislature or regulations under an Act of the Legislature, by an order of the Lieutenant Governor in Council or of a Minister of the Crown or by any combination of those methods, and

(iv) a body that is specified in, or that meets the criteria set out in, the regulations;

(j) “regulation” means a regulation as defined in section 1(1)(c) of the *Interpretation Act*, but does not include any instrument, whether of a legislative nature or not, that is made by a body other than the Lieutenant Governor in Council or a Minister;

(k) “remuneration” means any consideration, compensation or benefit, regardless of its nature or form, that is given by the Government of Alberta or a public agency to a member or a chief executive officer in respect of services provided to a public agency, and includes honorariums.

(2) In this Act, a reference to the responsible Minister in respect of a public agency or to the Minister who is responsible for a public agency is a reference to

(a) the Minister to whom the public agency reports under the *Government Accountability Act*, or

(b) the Minister determined under subsection (3).

(3) The Lieutenant Governor in Council may by order decide, in respect of any particular public agency,

(a) any question that arises as to which Minister is the responsible Minister for the purposes of subsection (2)(a), and

(b) which Minister is the responsible Minister, if the public agency is not required to report to a Minister under the *Government Accountability Act*.

(4) This Act does not apply to the following:

(a) The Provincial Court of Alberta;

(b) a body all of whose members are elected officials;

(c) a body excluded by the regulations.

(5) Subject to the regulations, this Act does not apply to the following:

- (a) a subsidiary health corporation under the *Regional Health Authorities Act*;
- (b) an advisory agency whose members receive no remuneration other than payment of or reimbursement for travelling, living or other expenses incurred while away from their ordinary places of residence and in the course of their duties as members;
- (c) a body established or continued by or under an Act of Canada;
- (d) a body established or continued by an enactment or instrument under which the body will expire or be dissolved or disestablished within one year of its establishment or continuation;
- (e) a body
 - (i) that is not empowered to perform any adjudicative functions,
 - (ii) that is chaired by, or whose board, council or other governing body is chaired by, a Minister or an employee of the Government of Alberta, and
 - (iii) all or a majority of whose members are Ministers or employees of the Government of Alberta.

Paramountcy

2(1) Except where this Act or the regulations provide otherwise, the provisions of this Act and the regulations under this Act prevail to the extent of any inconsistency or conflict with one or more provisions of any other enactment except the *Freedom of Information and Protection of Privacy Act* and the *Health Information Act*.

(2) The Lieutenant Governor in Council may make regulations expressly providing that another enactment, or a provision of it, prevails over this Act, a provision of it or the regulations, either generally or in respect of a specified public agency.

(3) A provision of an enactment that

- (a) imposes duties on a public agency or confers powers on a Minister who is responsible for a public agency that are additional to those imposed or conferred by this Act, or
- (b) imposes a maximum number of years of service for members of a public agency that is shorter than the applicable maximum number of years of service provided for in section 14(2)

is not inconsistent or in conflict with this Act for the purposes of subsection (1).

Mandate and Roles Documents

Contents of Mandate and Roles Document

3(1) Every public agency must, within 3 months of its establishment or continuation, have a Mandate and Roles Document that is jointly developed by the public agency and its responsible Minister and that includes a description of each of the following:

- (a) the public agency's mandate;
- (b) the roles and responsibilities of
 - (i) the public agency,
 - (ii) its members,
 - (iii) its chief executive officer, if any,
 - (iv) the responsible Minister,
 - (v) any departments or employees of the Government of Alberta that provide support or services to the public agency, and
 - (vi) any subsidiaries of the public agency,
including roles and responsibilities in respect of recruitment, orientation and training of members, communication with the public and evaluation of the public agency's and its members' performance;
- (c) the accountability relationships of the public agency, including its duty to account to the responsible Minister;

- (d) the process for administering the public agency's code of conduct;
- (e) the public agency's and the responsible Minister's mutual expectations in respect of communication, collaboration and consultation with each other;
- (f) the committee structure of the public agency, if any;
- (g) the financial, staffing and administrative arrangements for the public agency;
- (h) the public agency's planning and reporting requirements;
- (i) any other matters specified in the regulations.

(2) A Mandate and Roles Document may be amended at any time by the public agency and the responsible Minister.

(3) A Mandate and Roles Document and any amendment made to it must be signed on behalf of the public agency and by the responsible Minister.

Review of document

4 A Mandate and Roles Document must be reviewed and renewed, amended or replaced within 3 years after the day on which

- (a) the Mandate and Roles Document, or
- (b) the most recent amendment to the Mandate and Roles Document,

was signed.

Document to be made public

5 A Mandate and Roles Document must be made available to the public.

Powers and Responsibilities of Ministers

Obligations of responsible Minister

6 A Minister who is responsible for a public agency shall

- (a) participate with the public agency in setting the public agency's long-term objectives and its short-term targets, if any,
- (b) advise the public agency, as the Minister considers appropriate, respecting any government policies applicable to the public agency or its activities or operations, and
- (c) monitor whether the public agency is
 - (i) acting within its mandate, and
 - (ii) achieving its long-term objectives and short-term targets, if any.

Advice of public agency

7(1) A Minister who is responsible for a public agency may consult with the public agency and request its advice or comments on any matter respecting the development, establishment, amendment, termination or repeal of any enactment, program, directive, guideline or policy that is related to the public agency's mandate.

(2) A public agency may provide advice or comments in response to a request under subsection (1), and may volunteer to provide advice or comments to the responsible Minister on any matter described in that subsection.

Disclosure of information

8(1) Subject to section 9 and the regulations, a Minister who is responsible for a public agency may request from the public agency any information, including personal information, that the Minister considers necessary respecting its activities and operations or that the Minister considers necessary for the development, establishment, amendment, termination or repeal of any enactment, program, directive, guideline or policy, and the public agency shall disclose the information within the time and in the form and manner determined by the Minister.

(2) Subject to section 9 and the regulations, a public agency shall allow its responsible Minister or that Minister's representative

- (a) to inspect all records, accounts, reports and other documents of the public agency and to make copies of them, including, in the case of an electronic document, by printing the document or by causing it to be printed, and
- (b) to otherwise review the operations of the public agency.

(3) If the information disclosed under subsection (1) or contained in records, accounts, reports or other documents of the public agency inspected or copied under subsection (2)(a) is personal information as defined in the *Freedom of Information and Protection of Privacy Act*, the responsible Minister may collect and use that personal information

- (a) for the purposes of
 - (i) reviewing and monitoring the activities and operations of the public agency,
 - (ii) ensuring the public agency is acting in accordance with its Mandate and Roles Document, or
 - (iii) carrying out the responsibilities of the Minister under this Act,

and

- (b) for any other purpose authorized by the regulations.

(4) If the information disclosed under subsection (1) or contained in records, accounts, reports or other documents inspected or copied under subsection (2)(a) relates to labour relations, is a trade secret or is of a commercial, financial, scientific or technical nature, the information is to be treated as having been provided in confidence.

Restrictions

9(1) Section 8(1) does not authorize a request for information

- (a) in respect of a particular matter in which the public agency has performed or is or will be performing an adjudicative function, if complying with the request may reasonably be expected to affect the independence of the public agency respecting that matter, or

- (b) if the regulations or the public agency's establishing enactment provides that section 8(1) does not apply in respect of information of that type.

(2) Section 8(2)(a) does not authorize the inspection or copying of documents

- (a) in respect of a particular matter in which the public agency has performed or is or will be performing an adjudicative function, if inspecting or copying the documents may reasonably be expected to affect the independence of the public agency respecting that matter, or
- (b) if the regulations or the public agency's establishing enactment provides that section 8(2)(a) does not apply in respect of documents of that type.

Policies

10(1) Subject to subsection (2), a Minister who is responsible for a public agency may set policies that must be followed by the public agency in carrying out its powers, duties and functions.

(2) A policy must not be set under this section

- (a) in respect of a public agency's adjudicative functions, or
- (b) if an Act, the regulations under this Act or any other regulation made by the Lieutenant Governor in Council prohibits the making of policies of that type.

Responsibilities of Public Agencies

Codes of conduct

11(1) Every public agency shall implement

- (a) a code of conduct governing the conduct of its members, and
- (b) a code of conduct governing the conduct of its employees, if any.

(2) A code of conduct referred to in subsection (1) must include provisions

- (a) requiring members or employees to conduct themselves impartially in carrying out their duties,
 - (b) prohibiting members or employees from acting in self-interest or furthering their private interests by virtue of their position or through the carrying out of their duties,
 - (c) requiring members or employees to disclose real and apparent conflicts of interest, and
 - (d) respecting any other matters specified in the regulations.
- (3)** A public agency shall make its codes of conduct available to the public.

Responsibilities

12 Every public agency shall

- (a) make all reasonable efforts to fulfil its mandate,
- (b) participate with its responsible Minister in setting its long-term objectives and short-term targets, if any,
- (c) monitor its activities for the purpose of ensuring that it is
 - (i) acting within its mandate,
 - (ii) acting in accordance with any policies made under section 10(1) and any regulations respecting those policies, and
 - (iii) achieving its long-term objectives and short-term targets, if any,
- (d) inform its responsible Minister respecting its significant activities and operations and any significant events that may affect those activities or operations, and
- (e) discharge any other responsibilities set out in the regulations.

Members of Public Agencies

Recruitment of members

13(1) The process by which a member is recruited to a public agency must

- (a) identify any skills, knowledge, experience or attributes required of the member before recruitment begins, and
- (b) base the selection of a person for appointment as a member on assessment of the extent to which the person possesses the identified skills, knowledge, experience or attributes.

(2) The steps that are taken or intended to be taken in a recruitment process and any identified skills, knowledge, experience or attributes required of a member to be appointed must be made public either before or after the member is appointed.

Term of office

14(1) Every appointment must be for a fixed term.

(2) Subject to the regulations, no person shall be appointed as a member for a term that would result in the person serving as a member for more than

- (a) 12 consecutive years, in the case of a public agency that is empowered to perform an adjudicative function, or
- (b) 10 consecutive years, in any other case.

(3) Breaks in service of less than 2 years shall be disregarded in determining a number of consecutive years for the purposes of subsection (2).

(4) If in the opinion of the responsible Minister it is necessary to ensure the effective operation of a public agency, the responsible Minister may recommend to the Lieutenant Governor in Council that an order be made providing that subsection (2) does not apply in respect of a specified appointment to the public agency, and the Lieutenant Governor in Council may make an order to that effect.

Reappointment

15 An appointed member may be reappointed for an additional term only if, in the opinion of the responsible Minister, the member meets the requirements of the position.

Saving

16 Actions of a public agency or its governing body are valid notwithstanding any defect in compliance with section 13, 14 or 15 in the recruitment, appointment or reappointment of any member.

Chief Executive Officers

Remuneration of chief executive officers

17(1) Subject to the regulations, and unless the Act, regulation or order that establishes or continues the public agency provides otherwise, a public agency that appoints or engages its own chief executive officer may set the remuneration and expenses to be paid to the chief executive officer.

(2) Subsection (1) does not apply to a chief executive officer who is an employee under the *Public Service Act*.

Restriction

18(1) In this section, “chair” includes an acting chair.

(2) No person shall serve as both the chair and the chief executive officer of a public agency unless expressly authorized by

- (a) the public agency’s establishing enactment, or
- (b) the regulations.

(3) If a person serves as both a member and the chief executive officer of a public agency, the public agency shall establish and implement, to the satisfaction of the responsible Minister, a process by which the chief executive officer’s performance is overseen by other members of the public agency.

Review of Public Agencies

Review

19(1) The mandate and operations of every public agency must, at least every 7 years, be reviewed by the responsible Minister, who shall report the results of the review to the Executive Council.

(2) In reviewing a public agency, the responsible Minister shall consider

- (a) whether, and the extent to which, the public agency's mandate continues to be relevant to the goals, priorities and policies of the Government of Alberta,
- (b) whether the functions performed by the public agency are best performed by the public agency, by another public agency or by a department,
- (c) whether the public agency's governance structure continues to be appropriate to its mandate and functions,
- (d) whether the public agency is carrying out its activities and operations in a manner that is effective and suited to achieving its mandate, and
- (e) any other matters set out in the regulations.

Regulations

Lieutenant Governor in Council regulations

20 The Lieutenant Governor in Council may make regulations

- (a) specifying functions that are adjudicative functions for the purposes of section 1(1)(a)(iii);
- (b) respecting the application of this Act or any provision of this Act to a public agency, including regulations
 - (i) specifying bodies or classes of bodies that are public agencies for the purposes of this Act, including setting out criteria referred to in section 1(1)(i)(iv),
 - (ii) excluding bodies or classes of bodies from the application of this Act, and
 - (iii) exempting a public agency from the application of any provision of this Act, whether wholly or to the extent or for the period specified in the regulations;
- (c) respecting Mandate and Roles Documents, including their form and contents and the manner in which they are to be made public;
- (d) respecting evaluations referred to in section 3(1)(b);

- (e) respecting requests for information under section 8(1), the inspection and copying of documents under section 8(2) and the purposes for which a responsible Minister may collect and use personal information under section 8(3);
- (f) specifying, for the purposes of section 9(1)(b), types of information that must not be requested under section 8(1);
- (g) specifying, for the purposes of section 9(2)(b), types of documents that must not be inspected or copied under section 8(2)(a);
- (h) respecting policies referred to in section 10, including regulations prohibiting the making of specified types of policies in respect of a public agency;
- (i) respecting codes of conduct, including the contents and implementation of codes of conduct, the form and manner in which a code of conduct is to be made public and processes for administering codes of conduct;
- (j) respecting recruitment processes for members of public agencies;
- (k) respecting the reappointment of members of public agencies;
- (l) respecting the application of this Act or any provision of this Act to appointments to specified offices or classes of offices of public agencies or their governing bodies, including regulations exempting specified offices or classes of offices from the application of any provision of this Act, whether wholly or to the extent or for the period specified in the regulations;
- (m) respecting the application of any provision of this Act to specified appointments, including exempting specified appointments from the application of any provision of this Act;
- (n) respecting responsibilities of public agencies referred to in section 12;
- (o) respecting responsibilities of members of public agencies;

- (p) respecting the form and manner in which recruitment processes are to be made public for the purposes of section 13(2);
- (q) respecting remuneration of members and chief executive officers of public agencies;
- (r) respecting payment of expenses of members and chief executive officers of public agencies;
- (s) specifying public agencies in respect of which the offices of chief executive officer and chair of a public agency may be held by the same person;
- (t) respecting committees of public agencies;
- (u) respecting audit processes required in respect of public agencies;
- (v) respecting processes for the resolution of disputes between public agencies and their responsible Ministers regarding the application of this Act and the regulations;
- (w) respecting the establishment and continuation of public agencies;
- (x) respecting reviews of public agencies;
- (y) respecting the dissolution and winding-up of public agencies;
- (z) extending the time for doing anything required to be done under this Act or the regulations;
- (aa) specifying public agencies, classes of public agencies and classes of members of public agencies in respect of which regulations made under any provision of this Act apply.

Transitional Provisions, Consequential Amendments and Coming into Force

Transitional re Mandate and Roles Documents

21 If before the coming into force of section 3(1) a document is signed on behalf of a public agency and by its responsible Minister that meets the requirements set out in section 3(1)(a) to (i), the

document is deemed to be a Mandate and Roles Document for the purposes of that section.

Transitional re termination of appointments for indefinite term

22 Notwithstanding any other enactment, if on the coming into force of this Act a member of a public agency has been appointed for an indefinite term under an enactment,

- (a) the appointment terminates 2 years after the day on which this Act comes into force unless the appointment is terminated before that time, and
- (b) the person or body authorized to make the appointment may terminate it at any time without cause,

unless an order under section 24 provides otherwise.

Transitional re maximum years of service

23(1) Notwithstanding any other enactment, if on the coming into force of this Act a member of a public agency described in section 14(2)(a) has been appointed for a specified term and has served as a member for 12 or more consecutive years as determined in accordance with section 14, the member's appointment terminates on the expiry of that appointment unless it is terminated before that time or an order under section 24 provides otherwise.

(2) Notwithstanding any other enactment, if on the coming into force of this Act a member of a public agency described in section 14(2)(b) has served as a member for 10 or more consecutive years as determined in accordance with section 14, the member's appointment terminates 2 years after the day on which this Act comes into force unless the appointment is terminated or expires before that time or an order under section 24 provides otherwise.

Orders of Lieutenant Governor in Council

24 The Lieutenant Governor in Council may order

- (a) that the 2-year period provided by section 22(a) be extended for a specified period in respect of a specified appointment to which that section applies,

- (b) that the term of a specified appointment to which section 23(1) or (2) applies be extended for a specified period, and
- (c) that the 2-year period provided by section 23(2) be extended for a specified period in respect of a specified appointment to which that section applies.

Application of sections 22 to 24

25 For greater certainty, sections 22 to 24 and any order made under section 24 apply notwithstanding the term of office for which a member was appointed.

Amends RSA 2000 cA-19

26 The *Alberta Foundation for the Arts Act* is amended by repealing section 8 and substituting the following:

Remuneration and expenses

8(1) The Foundation shall pay its members

- (a) remuneration, and
- (b) travelling, living and other expenses incurred in the course of their duties as members.

(2) Remuneration and expenses referred to in subsection (1) must be determined

- (a) in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, or
- (b) by the Minister if no regulations under the *Alberta Public Agencies Governance Act* are applicable.

Amends SA 2007 cA-26.5

27 The *Alberta Investment Management Corporation Act* is amended

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

(4) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of the remuneration of

Explanatory Notes

26 Amends chapter A-19 of the Revised Statutes of Alberta 2000.
Section 8 presently reads:

8 The Foundation shall pay its members

(a) remuneration, and

(b) travelling, living and other expenses incurred in the course of their duties as members

as determined by the Minister.

27 Amends chapter A-26.5 of the Statutes of Alberta, 2007.
Sections 4(3) and 7(2) presently read:

4(3) The Lieutenant Governor in Council may make regulations respecting the remuneration of members of the board.

7(2) The board shall set the compensation to be paid to the Chief Executive Officer subject to the Minister's approval.

members of the board, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under subsection (3).

(b) by repealing section 7(2) and substituting the following:

(2) The board shall, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, set the compensation to be paid to the Chief Executive Officer.

Amends RSA 2000 cA-37

28 The *Alberta Treasury Branches Act* is amended by adding the following after section 6:

Remuneration of Chief Executive Officer

6.1 The board may, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, set the remuneration payable to the Chief Executive Officer.

Amends SA 2007 cA-37.2

29 The *Alberta Utilities Commission Act* is amended

(a) in section 3

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

(3) The Lieutenant Governor in Council shall, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, determine the remuneration of the members of the Commission, which is to be paid by the Commission.

(ii) by repealing subsection (5) and substituting the following:

(5) Subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, a member of the Commission is eligible for reappointment for one or more terms not exceeding 5 years each.

28 Amends chapter A-37 of the Revised Statutes of Alberta 2000.
Remuneration of Chief Executive Officer.

29 Amends chapter A-37.2 of the Statutes of Alberta, 2007.
Sections 3(3) and (5), 6(2), 7(2) and 33(4) and (6) presently read:

3(3) The Lieutenant Governor in Council shall determine the remuneration of the members of the Commission, which is to be paid by the Commission.

(5) A member of the Commission is eligible for reappointment for one or more terms not exceeding 5 years each.

6(2) The Commission shall establish and maintain policies and procedures addressing the identification, disclosure and resolution of matters involving conflict of interest of members of the Commission and senior officers and employees of the Commission.

7(2) The Commission shall determine the remuneration to be paid to the Chief Executive.

33(4) The individual appointed as Market Surveillance Administrator is eligible to be reappointed for one or more terms not exceeding 5 years each.

(b) by repealing section 6(2) and substituting the following:

(2) The Commission shall, in accordance with the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, establish and maintain policies and procedures addressing the identification, disclosure and resolution of matters involving conflict of interest of members of the Commission and senior officers and employees of the Commission.

(c) by repealing section 7(2) and substituting the following:

(2) The Commission shall determine the remuneration to be paid to the Chief Executive in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(d) in section 33

(i) by repealing subsection (4) and substituting the following:

(4) Subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, the individual appointed as Market Surveillance Administrator is eligible to be reappointed for one or more terms not exceeding 5 years each.

(ii) by repealing subsection (6) and substituting the following:

(6) The individual appointed as Market Surveillance Administrator may be paid remuneration determined

- (a) in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, or
- (b) by the Minister if no regulations under the *Alberta Public Agencies Governance Act* are applicable,

and the remuneration to be paid must be set out in the budget of the Market Surveillance Administrator.

(6) The individual appointed as Market Surveillance Administrator may be paid the reasonable remuneration set out in the budget of the Market Surveillance Administrator as approved by the Chair.

Amends RSA 2000 cA-42

30 The Apprenticeship and Industry Training Act is amended

(a) in section 2

(i) by repealing subsection (6) and substituting the following:

(6) Members of the Board other than employees of the Government

- (a) may be paid remuneration for the performance of their duties as members, and
- (b) shall be paid for travelling and living expenses necessarily incurred in the performance of their duties as members,

at a rate prescribed by the Lieutenant Governor in Council in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(ii) by adding the following after subsection (6):

(7) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of the rate of remuneration and expenses to be paid to members of the Board, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under subsection (6).

(b) by repealing section 5(2) and substituting the following:

(2) On ceasing to hold office as a member under section 2(2)(b) to (e) a person may, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, hold office as chair under section 2(2)(a) for a continuous period not exceeding 6 years.

Amends RSA 2000 cC-3

31 The Cemeteries Act is amended in section 65 by adding the following after subsection (2):

30 Amends chapter A-42 of the Revised Statutes of Alberta 2000. Sections 2(6) and 5(2) presently read:

2(6) Members of the Board other than employees of the Government

(a) may be paid remuneration for the performance of their duties as members, and

(b) shall be paid travelling and living expenses necessarily incurred in the performance of their duties as members,

at a rate prescribed by the Lieutenant Governor in Council.

5(2) On ceasing to hold office under section 2(2)(b) to (e), a person may hold office under section 2(2)(a) for a continuous period not exceeding 6 years.

31 Amends chapter C-3 of the Revised Statutes of Alberta 2000. Section 65(1)(gg) presently reads:

65(1) The Minister may make regulations

(3) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of the payment of fees and expenses to members of an appeal board, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under subsection (1)(gg).

Amends SA 2007 cC-10.5

32 The *Child Care Licensing Act* is amended

- (a) in section 19(2) by adding “, subject to any applicable regulations under the *Alberta Public Agencies Governance Act*,” after “may”;
- (b) in section 27 by adding the following after subsection (2):
 - (3) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of the term of office of persons appointed as members of an appeal panel or the reappointment of members, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under subsection (1)(h).

Amends RSA 2000 cC-11

33 The *Child and Family Services Authorities Act* is amended in section 3

- (a) by repealing subsection (7.1) and substituting the following:
 - (7.1) Notwithstanding subsection (7), but subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, the Minister may extend a term beyond the 7-year maximum set by that subsection.
- (b) by repealing subsection (10) and substituting the following:

(gg) respecting the payment of fees and reasonable living and travelling expenses to members of an appeal board appointed under section 52;

32 Amends chapter C-10.5 of the Statutes of Alberta, 2007.
Sections 19(2) and 27(1)(h) presently read:

19(2) The Minister may

- (a) fix the term of office of a member of an appeal panel in accordance with the regulations,*
- (b) designate the chair and vice-chair of an appeal panel,*
- (c) prescribe the number of members of an appeal panel that constitutes a quorum, and*
- (d) authorize and provide for the payment of the remuneration and expenses of the members of an appeal panel.*

27(1) The Minister may make regulations

- (h) respecting the term of office of persons appointed as members of an appeal panel and the reappointment of members;*

33 Amends chapter C-11 of the Revised Statutes of Alberta 2000.
Section 3(7.1) and (10) presently read:

(7.1) Notwithstanding subsection (7), the Minister may extend a term beyond the 7-year maximum set by that subsection.

(10) The Minister may, with respect to board members and members of a panel established under subsection (3), authorize and provide for the payment of remuneration and travelling, living and other expenses incurred by them in the course of their duties.

(10) Subject to any applicable regulations under the *Alberta Public Agencies Governance Act*, the Minister may, with respect to board members and members of a panel established under subsection (3), authorize and provide for the payment of remuneration and travelling, living and other expenses incurred by them in the course of their duties.

Amends RSA 2000 cC-12

34 The *Child, Youth and Family Enhancement Act* is amended in section 118

- (a) in subsection (3) by striking out “and” at the end of clause (b) and repealing clause (c);
- (b) by adding the following after subsection (3):
 - (4) The members of an Appeal Panel shall receive
 - (a) remuneration, and
 - (b) payment for travelling, living and other expenses incurred in the course of their duties as members.
 - (5) Remuneration and expenses referred to in subsection (4) must be determined
 - (a) in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, or
 - (b) by the Minister if no regulations under the *Alberta Public Agencies Governance Act* are applicable.

Amends RSA 2000 cD-16

35 The *Drainage Districts Act* is amended by repealing section 2(10) and substituting the following:

- (10) The members of the Drainage Council other than the member appointed under subsection (2)(a) may be paid remuneration and travelling and living expenses determined
 - (a) in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, or
 - (b) by the Minister if no regulations under the *Alberta Public Agencies Governance Act* are applicable.

34 Amends chapter C-12 of the Revised Statutes of Alberta 2000. Section 118(3) presently reads:

(3) The Minister shall

- (a) designate the chair, vice-chair and secretary of an Appeal Panel,*
- (b) prescribe the number of members of an Appeal Panel that constitutes a quorum, and*
- (c) authorize and provide for the payment of the remuneration and expenses of the members of an Appeal Panel.*

35 Amends chapter D-16 of the Revised Statutes of Alberta 2000. Section 2(10) presently reads:

(10) The members of the Drainage Council other than the member appointed under subsection (2)(a) may be paid remuneration and travelling and living expenses at the rates fixed by the Minister.

Amends SA 2003 cE-5.1

36 The *Electric Utilities Act* is amended

(a) by repealing section 10(2)(a)(i) to (iii) and substituting the following:

- (i) in accordance with the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, a code of conduct for its members, officers, employees and agents,
- (ii) in accordance with the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, criteria and a process for recommending the appointment of members and designation of an individual as chair when an appointment or designation is needed,
- (iii) in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, the reasonable remuneration and payment for expenses members are eligible to receive, and

(b) by repealing section 78(2)(a)(i) to (iii) and substituting the following:

- (i) in accordance with the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, a code of conduct for its members, officers, employees and agents,
- (ii) in accordance with the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, criteria and a process for recommending the appointment of members and designation of an individual as chair when an appointment or designation is needed,
- (iii) in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, the reasonable remuneration and expenses Balancing Pool members are eligible to receive, and

36 Amends chapter E-5.1 of the Statutes of Alberta, 2003.
Sections 10(2)(a)(i), (ii) and (iii) and 78(2)(a)(i), (ii) and (iii)
presently read:

10(2) In its bylaws, the Independent System Operator

(a) must establish

- (i) a code of conduct for its members, officers, employees and agents,*
- (ii) criteria and a process for recommending the appointment of members and designation of an individual as chair when an appointment or designation is needed,*
- (iii) the reasonable remuneration and expenses members are eligible to receive, and*

78(2) In its bylaws the Balancing Pool

(a) must establish

- (i) a code of conduct for its members, officers, employees and agents,*
- (ii) criteria and a process for recommending the appointment of members and designation of an individual as chair when an appointment or designation is needed,*
- (iii) the reasonable remuneration and expenses Balancing Pool members are eligible to receive, and*

Amends RSA 2000 cE-10

37 The *Energy Resources Conservation Act* is amended

(a) by repealing section 5(3) to (5) and substituting the following:

(3) Each member of the Board holds office during good behaviour for a term not exceeding 5 years from the date of that member's appointment and may, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, be reappointed.

(4) Notwithstanding anything in this section, any member of the Board may be removed from office by the Lieutenant Governor in Council at any time during the term referred to in subsection (3) on the address of the Legislative Assembly.

(5) The Lieutenant Governor in Council shall, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, determine the remuneration of the members of the Board, which is to be paid by the Board.

(b) by repealing section 5.1(2) and substituting the following:

(2) The Board shall, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, set the remuneration to be paid to the Chief Executive.

(c) by repealing section 6(2) and substituting the following:

(2) The Board shall, in accordance with the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, establish and maintain policies and procedures addressing the identification, disclosure and resolution of matters involving conflict of interest of members of the Board and senior officers and employees of the Board.

Amends RSA 2000 cE-12

38 The *Environmental Protection and Enhancement Act* is amended by adding the following after section 106:

37 Amends chapter E-10 of the Revised Statutes of Alberta 2000. Sections 5(3) to (5), 5.1(2) and 6(2) presently read:

5(3) Each of the members of the Board holds office during good behaviour for a term of 5 years from the date of that member's appointment and afterwards during the pleasure of the Lieutenant Governor in Council.

(4) Notwithstanding anything in this section, any member of the Board may be removed from office by the Lieutenant Governor in Council at any time during the 5-year term referred to in subsection (3) on the address of the Legislative Assembly.

(5) The Lieutenant Governor in Council shall determine the remuneration of the members of the Board, which is to be paid by the Board.

5.1(2) The Board shall set the remuneration to be paid to the Chief Executive.

6(2) The Board shall establish and maintain policies and procedures addressing the identification, disclosure and resolution of matters involving conflict of interest of members of the Board and senior officers and employees of the Board.

38 Amends chapter E-12 of the Revised Statutes of Alberta 2000. Regulations under the Alberta Public Agencies Governance Act prevail.

Regulations under the Alberta Public Agencies

Governance Act prevail

106.1 If regulations under the *Alberta Public Agencies Governance Act* apply in respect of the appointment or membership of the Board or remuneration or expenses referred to in section 106(a), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under section 106(a).

Amends RSA 2000 cE-13

39 The *Expropriation Act* is amended by repealing section 25(3) and substituting the following:

- (3) The chair and each member of the Board shall be paid
 - (a) remuneration, and
 - (b) payment for expenses incurred while away from their ordinary places of residence and in the course of their duties as members,

as fixed by the Lieutenant Governor in Council in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

Amends RSA 2000 cF-2

40 The *Fair Trading Act* is amended by repealing section 179(7) and substituting the following:

- (7) The Minister may, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, set the rates of remuneration for and provide for the payment of reasonable living and travelling expenses to the members of an appeal board.

Amends SA 2003 cF-5.3

41 The *Family Support for Children with Disabilities Act* is amended by repealing section 8(3)(c) and substituting the following:

- (c) authorize and provide for the payment of the remuneration and expenses of the members of an appeal committee in

39 Amends chapter E-13 of the Revised Statutes of Alberta 2000.
Section 25(3) presently reads:

(3) The chair and each member of the Board shall receive the remuneration that may be fixed by the Lieutenant Governor in Council.

40 Amends chapter F-2 of the Revised Statutes of Alberta 2000.
Section 179(7) presently reads:

(7) The Minister may set the rates of remuneration for and provide for the payment of reasonable living and travelling expenses to the members of an appeal board.

41 Amends chapter F-5.3 of the Statutes of Alberta, 2003.
Section 8(3)(c) presently reads:

(3) The Minister may

(c) authorize and provide for the payment of the remuneration and expenses of the members of an appeal committee.

accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

Amends RSA 2000 cF-9

42 The *Fatality Inquiries Act* is amended

(a) in section 2

(i) by adding the following after subsection (6):

(6.1) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of the remuneration for the voting members of the Board, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing remuneration under subsection (6).

(ii) by repealing subsection (7) and substituting the following:

(7) The members of the Board shall be paid, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, for travelling and living expenses incurred while absent from their places of residence and in the course of their duties as members.

Amends RSA 2000 cF-29

43 The *Funeral Services Act* is amended by adding the following after section 27:

Regulations under the *Alberta Public Agencies Governance Act* prevail

27.1 If regulations under the *Alberta Public Agencies Governance Act* apply in respect of the payment of fees and expenses to members of an appeal board, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under this Act.

42 Amends chapter F-9 of the Revised Statutes of Alberta 2000.
Section 2(6) and (7) presently read:

(6) The voting members of the Board shall receive the remuneration for their services that may be prescribed by the Lieutenant Governor in Council.

(7) The members of the Board shall be paid their reasonable travelling and living expenses while absent from their places of residence and in the course of their duties as members of the Board.

43 Amends chapter F-29 of the Revised Statutes of Alberta 2000.
Regulations under the Alberta Public Agencies Governance Act prevail.

Amends RSA 2000 cG-1

44 The *Gaming and Liquor Act* is amended by repealing section 9(4) and substituting the following:

(4) The Lieutenant Governor in Council must, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, fix the amount of remuneration and the travelling, living and other expenses that members are entitled to receive.

Amends RSA 2000 cG-7

45 The *Government Accountability Act* is amended in section 16 by adding the following after subsection (2):

(2.1) The Minister responsible for an accountable organization that does not administer a budget and whose mandate is purely advisory may by order exempt that organization from the requirements of subsection (2).

Amends RSA 2000 cG-10

46 The *Government Organization Act* is amended in section 7 by adding the following after subsection (2):

(2.1) Remuneration and expenses referred to in subsection (2) must be determined

- (a) in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, or
- (b) by the Minister if no regulations under the *Alberta Public Agencies Governance Act* are applicable.

Amends RSA 2000 cH-2

47 The *Health Disciplines Act* is amended

(a) **by repealing section 3(8) and substituting the following:**

(8) A member of the Board who is not an employee of the Government may be paid remuneration for the member's services and an allowance for the expenses necessarily incurred in the performance of the member's duties, at the rates prescribed by the Minister in accordance with any

44 Amends chapter G-1 of the Revised Statutes of Alberta 2000.
Section 9(4) presently reads:

(4) The Lieutenant Governor in Council must fix the amount of the members' remuneration and the travelling, living and other expenses that the members are entitled to receive.

45 Amends chapter G-7 of the Revised Statutes of Alberta 2000.

46 Amends chapter G-10 of the Revised Statutes of Alberta 2000.

47 Amends chapter H-2 of the Revised Statutes of Alberta 2000.
Sections 3(8), 6(2) and 9(2) and (9) presently read:

3(8) A member of the Board who is not an employee of the Government may be paid remuneration for the member's services and an allowance for the expenses necessarily incurred in the performance of the member's duties, at the rates prescribed by the Minister.

applicable regulations under the *Alberta Public Agencies Governance Act*.

(8.1) If regulations under the *Alberta Public Agencies Governance Act* establish rates in respect of the remuneration or expenses referred to in subsection (8), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under subsection (8).

(b) in section 6

(i) by repealing subsection (2)(b) and substituting the following:

(b) prescribe the term of office of any member in accordance with the *Alberta Public Agencies Governance Act*,

(ii) by repealing subsection (2)(d) and substituting the following:

(d) authorize, fix and provide for the payment of remuneration and expenses to its members in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(c) in section 9

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

(2) A Committee established under subsection (1) shall consist of not fewer than 3 members appointed by the Minister for a term to be prescribed by the Minister in accordance with the *Alberta Public Agencies Governance Act*.

(ii) by adding the following after subsection (9):

(9.1) If regulations under the *Alberta Public Agencies Governance Act* establish rates in respect of remuneration or expenses referred to in subsection (9), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under subsection (9).

6(2) The Minister may, with respect to an advisory committee established under this section,

- (a) appoint or provide for the manner of the appointment of its members,*
- (b) prescribe the term of office of any member,*
- (c) designate a chair, vice-chair and secretary, and*
- (d) authorize, fix and provide for the payment of remuneration and expenses to its members.*

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

(9) A member of a Committee who is not an employee of the Government may be paid remuneration for the member's services and an allowance for the expenses necessarily incurred in the performance of the member's duties, at the rates prescribed by the Minister.

Amends RSA 2000 cH-3

48 The Health Facilities Review Committee Act is amended

(a) by repealing section 2(3) and (4) and substituting the following:

(3) An order appointing a member of the Committee may provide for the member's term of office but in the absence of that provision, the term of office of a member is one year from the effective date of the member's appointment and continues afterwards until

- (a) the member is reappointed,
- (b) a successor is appointed, or
- (c) a period of 6 months has elapsed,

whichever occurs first.

(4) The Minister shall designate one of the members of the Committee as chair and another as a vice-chair and, unless the order otherwise provides, the term of office of a chair or vice-chair so designated is one year from the effective date of the designation and continues afterwards until

- (a) the member is reappointed,
- (b) a successor is appointed, or
- (c) a period of 6 months has elapsed,

whichever occurs first.

(b) by repealing section 4 and substituting the following:

Remuneration and expenses

4 The Minister

- (a) may prescribe the rates of remuneration payable to members of the Committee other than those who are employees of the Government or members or employees of an agency of the Government, and
- (b) may authorize the payment of travelling and living expenses for members of the Committee while

48 Amends chapter H-3 of the Revised Statutes of Alberta.
Sections 2(3) and 4 presently read:

2(3) An order appointing a member of the Committee may provide for the member's term of office but in the absence of that provision, the term of office of a member is one year from the effective date of the member's appointment and afterwards until the member's successor is appointed.

4 The Minister

- (a) may prescribe the rates of remuneration payable to members of the Committee other than those who are employees of the Government or members or employees of an agency of the Government, and*
- (b) may authorize the payment of travelling and living expenses for members of the Committee while outside their normal place of residence in the course of performing their duties.*

outside their normal place of residence in the course of performing their duties,

in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

Regulations under the Alberta Public Agencies Governance Act prevail

4.1 If regulations under the *Alberta Public Agencies Governance Act* establish a rate of remuneration payable to members referred to in section 4(a), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under section 4(a).

Amends RSA 2000 cH-7

49 The *Health Professions Act* is amended in section 22

(a) by repealing subsection (7) and substituting the following:

(7) Voting members appointed under this section may be paid remuneration and for reasonable living and travelling expenses incurred while away from their ordinary places of residence in the course of their duties as members at the rates prescribed by the Lieutenant Governor in Council in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(b) by adding the following after subsection (7):

(7.1) If regulations under the *Alberta Public Agencies Governance Act* establish rates in respect of remuneration or expenses referred to in subsection (7), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under that subsection.

Amends RSA 2000 cH-9

50 The *Historical Resources Act* is amended by repealing section 38(5) and substituting the following:

(5) The Minister may, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, authorize, fix and provide for the payment of remuneration and expenses to the members of the board.

49 Amends chapter H-7 of the Revised Statutes of Alberta 2000.
Section 22(7) presently reads:

(7) Voting members appointed under this section may be paid remuneration and may receive reasonable living and travelling expenses while away from their ordinary places of residence in the course of their duties as members at the rates prescribed by the Lieutenant Governor in Council.

50 Amends chapter H-9 of the Revised Statutes of Alberta 2000.
Section 38(5) presently reads:

(5) The Minister may authorize, fix and provide for the payment of remuneration and expenses to the members of the board.

Amends RSA 2000 cH-11.3

51 The *Horse Racing Alberta Act* is amended in section 23

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

(3) A person who is a member of the Appeal Tribunal may, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, be reappointed as a member of the Appeal Tribunal.

(b) by repealing subsection (5) and substituting the following:

(5) The Minister shall, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, prescribe the remuneration and expenses payable to the chair and members of the Appeal Tribunal.

(5.1) If regulations under the *Alberta Public Agencies Governance Act* establish rates in respect of remuneration or expenses payable to the chair or members of the Appeal Tribunal, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under subsection (5).

Amends RSA 2000 cH-12

52 The *Hospitals Act* is amended by repealing section 18(4) and substituting the following:

(4) The members of the Appeal Board may be paid remuneration for their services and allowances for the expenses necessarily incurred by them in the performance of their duties at rates fixed by the Minister in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

Amends RSA 2000 cH-14

53 The *Human Rights, Citizenship and Multiculturalism Act* is amended in section 15

(a) by repealing subsection (4) and substituting the following:

51 Amends chapter H-11.3 of the Revised Statutes of Alberta 2000. Section 23(3) and (5) presently read:

(3) A person who is a member of the Appeal Tribunal may be reappointed as a member of the Appeal Tribunal but

(a) that person is not eligible to serve for more than 6 consecutive years as a member of the Appeal Tribunal, and

(b) where the person has served for 6 consecutive years as a member of the Appeal Tribunal, that person is not eligible to be appointed again as a member of the Appeal Tribunal until 3 years has elapsed from the time that the person's last appointment to the Appeal Tribunal terminated.

(5) The Minister shall prescribe the remuneration and expenses payable to the chair and members of the Appeal Tribunal.

52 Amends chapter H-12 of the Revised Statutes of Alberta 2000. Section 18(4) presently reads:

(4) The members of the Appeal Board may be paid remuneration for their services and allowances for the expenses necessarily incurred by them in the performance of their duties at rates fixed by the Minister.

53 Amends chapter H-14 of the Revised Statutes of Alberta 2000. Section 15(4) presently reads:

(4) The chief commissioner and other members of the Commission shall receive remuneration and expenses for their services as prescribed by the Minister.

(4) The chief commissioner and other members of the Commission shall receive remuneration and expenses for their services as prescribed by the Minister in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(b) **by adding the following after subsection (4):**

(5) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of remuneration or expenses for the chief commissioner or other members of the Commission, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing remuneration or expenses under subsection (4).

Amends SA 2003 cI-0.5

54 The *Income and Employment Supports Act* is amended

(a) **by repealing section 47(2)(c) and substituting the following:**

(c) authorize, fix and provide for the payment of remuneration and expenses to its members in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, and

(b) **by adding the following after section 48:**

Regulations under the *Alberta Public Agencies Governance Act* prevail

48.1 If regulations under the *Alberta Public Agencies Governance Act* apply in respect of the terms of appointment of appeal panel members, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under section 48(a).

Amends RSA 2000 cL-1

55 The *Labour Relations Code* is amended by repealing section 8(6) and (7) and substituting the following:

(6) The members of the Board shall be appointed to hold office for terms not exceeding

(a) 5 years in the case of the Chair and vice-chairs, and

54 Amends chapter I-0.5 of the Statutes of Alberta, 2003.
Sections 47(2)(c) and 48(a) presently read:

47(2) The Minister may with respect to an appeal panel established under subsection (1)

(c) authorize, fix and provide for the payment of remuneration and expenses to its members, and

48 The Lieutenant Governor in Council may make regulations

(a) respecting the terms of appointment of appeal panel members;

55 Amends chapter L-1 of the Revised Statutes of Alberta 2000.
Section 8(6) and (7) presently read:

(6) The members of the Board shall be appointed to hold office for terms not exceeding

(a) 5 years in the case of the Chair and vice-chairs, and

(b) 3 years in the case of other members,

and may, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, be reappointed for additional terms to commence on the expiry of their appointment.

(7) The members of the Board shall be paid expenses, allowances and remuneration for their services as determined by the Lieutenant Governor in Council in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

Amends RSA 2000 cL-2

56 The *Land Agents Licensing Act* is amended in section 23

(a) by repealing subsection (9) and substituting the following:

(9) The members of the committee, except the Registrar, must be paid remuneration at the rate prescribed by the Minister and may accept travelling and living expenses authorized by the Minister in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(b) by adding the following after subsection (9):

(10) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of remuneration to be paid to the members of the committee referred to in subsection (9), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under subsection (9).

Amends RSA 2000 cM-4

57 The *Marketing of Agricultural Products Act* is amended in section 3

(a) in subsection (4) by adding “, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act,” after “may”;

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

(b) 3 years in the case of other members,

and may be reappointed for additional terms to commence on the expiry of their appointment.

(7) The members of the Board shall be paid expenses, allowances and remuneration for their services as determined by the Lieutenant Governor in Council.

56 Amends chapter L-2 of the Revised Statutes of Alberta 2000.
Section 23(9) presently reads:

(9) The members of the committee, except the Registrar, must be paid remuneration at the rate prescribed by the Minister and may accept travelling and living expenses authorized by the Minister.

57 Amends chapter M-4 of the Revised Statutes of Alberta 2000.
Section 3(4) presently reads:

(4) A member of the Council may be reappointed for one additional term of office but is then not eligible to be appointed again as a member of Council until 3 years have expired from the time that the member's last appointment to the Council has terminated.

(6) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of remuneration or expenses to be paid to the members or the chair of the Council, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under subsection (5).

Amends RSA 2000 cM-13

58 The *Mental Health Act* is amended

(a) in section 34 by adding the following after subsection (1):

(1.1) Terms of office referred to in subsection (1) must be prescribed in accordance with the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act.

(1.2) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of a term of office referred to in subsection (1), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing the term of office under that subsection.

(b) in section 53 by adding the following after subsection (4):

(5) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of the remuneration or expenses to be paid to members of review panels, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing remuneration or expenses under subsection (4)(a).

Amends RSA 2000 cM-14

59(1) The *Metis Settlements Act* and the *Metis Settlements Amendment Act, 2004* are amended by this section.

(2) If this subsection comes into force before section 25 of the *Metis Settlements Amendment Act, 2004* comes into force, section 183(1) of the *Metis Settlements Act* is repealed and the following is substituted:

58 Amends chapter M-13 of the Revised Statutes of Alberta 2000.

59 Amends chapter M-14 of the Revised Statutes of Alberta 2000. Sections 183(1) and 213(1) presently read:

183(1) A person appointed to the Appeal Tribunal holds office for 4 years and may be reappointed, but may be removed before the term expires by agreement between the Minister and the General Council.

213(1) The Appeal Tribunal chair and other members of the Tribunal are to be paid remuneration and travelling and living

Terms of office and vacancies

183(1) A person appointed to the Appeal Tribunal holds office for 4 years and may, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, be reappointed but may be removed before the term expires by agreement between the Minister and the General Council.

(3) If section 25 of the *Metis Settlements Amendment Act, 2004* comes into force before the coming into force of this subsection, section 183(2) of the *Metis Settlements Act* is repealed and the following is substituted:

(2) Members are, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, eligible for reappointment.

(4) Section 213(1) of the *Metis Settlements Act* is repealed and the following is substituted:

Appeal Tribunal funding

213(1) The Appeal Tribunal chair and other members of the Tribunal are to be paid remuneration and travelling and living expenses while away from their ordinary places of residence in the course of their duties at rates prescribed by the Minister in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(1.1) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of a rate of remuneration or expenses to be paid to members of the Appeal Tribunal, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under subsection (1).

Amends RSA 2000 cM-26

60 The *Municipal Government Act* is amended by repealing section 486(2) and substituting the following:

- (2)** The members of the Board are to be paid
- (a) remuneration at the rates set by the Lieutenant Governor in Council, and
 - (b) reasonable travelling and living expenses while carrying out duties as members of the Board away from home,

expenses while away from their ordinary places of residence in the course of their duties at a rate prescribed by the Minister.

Amends chapter 25 of the Statutes of Alberta 2004. Section 183(2) and (3) as enacted by section 25 of that Act read:

(2) Members are eligible for reappointment.

(3) Notwithstanding the expiry of the term of a member, the member continues in office until his or her successor is appointed.

60 Amends chapter M-26 of the Revised Statutes of Alberta 2000. Section 486(2) presently reads:

(2) The members of the Board are to be paid

(a) remuneration at the rates set by the Lieutenant Governor in Council, and

(b) reasonable travelling and living expenses while carrying out duties as members of the Board away from home.

in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

Amends RSA 2000 cN-3

61(1) The *Natural Resources Conservation Board Act* is amended by repealing section 15 and substituting the following:

Remuneration and expenses

15 The members of the Board shall receive

- (a) remuneration, and
- (b) payment for travelling and other expenses while absent from their place of residence in the course of exercising their powers or performing their duties as members of the Board,

as determined by the Lieutenant Governor in Council in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(2) This section does not invalidate an order made under section 15 of the *Natural Resources Conservation Board Act* as it read at any time before the coming into force of this section, but any regulations made under the *Alberta Public Agencies Governance Act* in respect of remuneration or expenses for the members of the Board prevail, to the extent of any conflict or inconsistency, over the order.

Amends RSA 2000 cO-2

62 The *Occupational Health and Safety Act* is amended by repealing section 6(4) and (5) and substituting the following:

(4) On the expiration of a member's term of office, that member of the Council may, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, be reappointed.

(5) The members of the Council shall be paid

- (a) remuneration prescribed by the Lieutenant Governor in Council in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, and

61 Amends chapter N-3 of the Revised Statutes of Alberta 2000.
Section 15 presently reads:

15 The members of the Board shall receive

- (a) remuneration, and*
- (b) travelling and other expenses while absent from their place of residence in the course of exercising their powers or performing their duties as members of the Board,*

in accordance with an order of the Lieutenant Governor in Council.

62 Amends chapter O-2 of the Revised Statutes of Alberta 2000.
Section 6(4) and (5) presently read:

(4) On the expiration of a member's term of office, that member of the Council may be reappointed.

(5) The members of the Council shall be paid

- (a) any remuneration that the Lieutenant Governor in Council may prescribe, and*

(b) their reasonable travelling and living expenses, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, if incurred while absent from their ordinary places of residence and in the course of their duties as members of the Council.

(6) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of remuneration for the members of the Council, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing remuneration under subsection (5)(a).

Amends RSA 2000 cP-8

63 The *Persons with Developmental Disabilities Community Governance Act* is amended in section 5

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

(2) A Community Board is a corporation consisting of not more than 9 members appointed, subject to subsection (3), the regulations, the *Alberta Public Agencies Governance Act* and any applicable regulations made under that Act, by the Minister for a term prescribed by the Minister.

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

(2.1) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of the term of office of a member referred to in subsection (2), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a term under that subsection.

(c) by repealing subsection (7) and substituting the following:

(7) The Minister may, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, authorize and provide for the payment to members of a Community Board of remuneration and travelling, living and other expenses incurred in the course of their duties.

(b) their reasonable travelling and living expenses while absent from their ordinary places of residence and in the course of their duties as members of the Council.

63 Amends chapter P-8 of the Revised Statutes of Alberta 2000. Section 5(2) and (7) presently read:

(2) A Community Board is a corporation consisting of not more than 9 members appointed, subject to subsection (3) and the regulations, by the Minister for a term prescribed by the Minister.

(7) The Minister may, with respect to members of a Community Board, authorize and provide for the payment of remuneration and travelling, living and other expenses incurred by members in the course of their duties.

Amends RSA 2000 cP-16

64 The Podiatry Act is amended in section 7

(a) by repealing subsection (7) and substituting the following:

(7) The Lieutenant Governor in Council may, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, prescribe the fees and allowances for expenses to be paid to members of the Board.

(b) by adding the following after subsection (7):

(8) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of fees or allowances to be paid to members of the Board, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing fees or allowances under subsection (7).

Amends RSA 2000 cP-17

65 The Police Act is amended by repealing section 9(3), (4) and (5) and substituting the following:

(3) A member of the Board must be appointed for a term of not more than 3 years and, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, is eligible for reappointment.

(4) Notwithstanding that the term of office of a member of the Board may have expired, the member continues to hold office until

- (a) the member is reappointed,
- (b) a successor is appointed, or
- (c) a period of 6 months has elapsed,

whichever occurs first.

(5) The members of the Board shall be paid

- (a) fees or remuneration, and

64 Amends chapter P-16 of the Revised Statutes of Alberta 2000.
Section 7(7) presently reads:

(7) The Minister may, with respect to members of a Community Board, authorize and provide for the payment of remuneration and travelling, living and other expenses incurred by members in the course of their duties.

65 Amends chapter P-17 of the Revised Statutes of Alberta 2000.
Section 9(3), (4) and (5) presently read:

(3) A member of the Board must be appointed for a term of not more than 3 years and is eligible for reappointment.

(4) Notwithstanding subsection (3), a member of the Board continues to hold office until reappointed or a successor is appointed.

(5) The members of the Board shall be paid

(a) fees or remuneration as prescribed by the Lieutenant Governor in Council, and

(b) expenses as prescribed by the regulations for subsistence and travelling while absent from their ordinary places of residence in the course of their duties as members of the Board.

- (b) expenses for subsistence and travelling while absent from their ordinary places of residence in the course of their duties as members of the Board,

as prescribed by the Lieutenant Governor in Council in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(6) If regulations under the *Alberta Public Agencies Governance Act* apply in respect of fees, remuneration or expenses to be paid to members of the Board, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing fees, remuneration or expenses under subsection (5).

Amends SA 2003 cP-19.5

66 The *Post-secondary Learning Act* is amended

(a) by repealing section 55 and substituting the following:

Remuneration and expenses

55 The members of the board

- (a) may be paid remuneration for the performance of their duties as members of the board, and
- (b) shall be paid for travelling and living expenses incurred while away from their ordinary places of residence in the course of their duties as members of the board,

in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(b) by repealing section 56(3) and substituting the following:

(3) Notwithstanding subsection (2), but subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act,

- (a) the chair of the board of a university or Banff Centre is always eligible for reappointment on the conclusion of the chair's term of office, and
- (b) an appointed member of the board of a university or Banff Centre is eligible for appointment as chair

66 Amends chapter P-19.5 of the Statutes of Alberta, 2003.
Sections 55 and 56(3) presently read:

55 The members of the board

- (a) may be paid remuneration for the performance of their duties as members of the board, and*
- (b) shall be paid travelling and living expenses while away from their ordinary places of residence in the course of their duties as members of the board,*

at the rates prescribed by the board.

56(3) Notwithstanding subsection (2),

- (a) the chair of the board of a university or Banff Centre is always eligible for reappointment on the conclusion of the chair's term of office, and*
- (b) an appointed member of the board of a university or Banff Centre is eligible for appointment as chair though the member has, at the time of the member's appointment, concluded 2 terms as a member of the board.*

even though the member has, at the time of the member's appointment, concluded 2 terms as a member of the board.

Amends RSA 2000 cP-21

67(1) The *Premier's Council on the Status of Persons with Disabilities Act* is amended in section 4

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

Members of Council

4(1) The Council shall consist of not more than 15 members appointed by the Lieutenant Governor in Council in accordance with the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act.

(b) by repealing subsection (5) and substituting the following:

(5) The members of the Council may be paid

- (a) remuneration at a reasonable rate prescribed by the Lieutenant Governor in Council in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, and
- (b) their reasonable travelling, living and other expenses incurred in the course of their duties as members as determined by the Lieutenant Governor in Council in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(5.1) If regulations under the *Alberta Public Agencies Governance Act* establish rates in respect of remuneration referred to in subsection (5)(a), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under subsection (5)(a).

(c) by repealing subsection (7) and substituting the following:

(7) A member of the Council is, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, eligible for reappointment.

67 Amends chapter P-21 of the Revised Statutes of Alberta 2000.
Section 4(1), (5) and (7) presently read:

4(1) The Council shall consist of not more than 15 members appointed by the Lieutenant Governor in Council.

(5) The members of the Council may be paid

(a) remuneration at a reasonable rate prescribed by the Lieutenant Governor in Council, and

(b) their reasonable travelling, living and other expenses incurred in the course of their duties as members in accordance with an order respecting expenses made by the Lieutenant Governor in Council.

(7) A member of the Council is eligible for reappointment.

(2) This section does not invalidate an order made under section 4(5) of the *Premier's Council on the Status of Persons with Disabilities Act* as it read at any time before the coming into force of this section, but any regulations made under the *Alberta Public Agencies Governance Act* in respect of expenses prevail, to the extent of any conflict or inconsistency, over the order.

Amends RSA 2000 cP-37

68 The *Public Health Act* is amended in section 3 by adding the following after subsection (11):

(11.1) Rates referred to in subsection (11) must be prescribed in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(11.2) If regulations under the *Alberta Public Agencies Governance Act* establish rates in respect of remuneration or expenses referred to in subsection (11), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under subsection (11).

Amends RSA 2000 cP-41

69 The *Public Sector Pension Plans Act* is amended

(a) in Schedule 1 by adding the following after section 12:

Regulations under the *Alberta Public Agencies Governance Act* prevail

12.1 If regulations under the *Alberta Public Agencies Governance Act* apply in respect of remuneration, expenses or the selection of members referred to in section 12(a), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under section 12(a).

(b) in Schedule 2 by adding the following after section 12:

Regulations under the *Alberta Public Agencies Governance Act* prevail

12.1 If regulations under the *Alberta Public Agencies Governance Act* apply in respect of remuneration, expenses or the selection of members referred to in section 12(a), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under section 12(a).

68 Amends chapter P-37 of the Revised Statutes of Alberta 2000.

69 Amends chapter P-41 of the Revised Statutes of Alberta 2000.
Regulations under the Alberta Public Agencies Governance Act
prevail.

(c) in Schedule 4 by adding the following after section 12:

Regulations under the Alberta Public Agencies

Governance Act prevail

12.1 If regulations under the *Alberta Public Agencies Governance Act* apply in respect of remuneration, expenses or the selection of members referred to in section 12(a), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under section 12(a).

(d) in Schedule 5 by adding the following after section 12:

Regulations under the Alberta Public Agencies

Governance Act prevail

12.1 If regulations under the *Alberta Public Agencies Governance Act* apply in respect of remuneration, expenses or the selection of members referred to in section 12(1)(a), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under section 12(1)(a).

Amends RSA 2000 cS-4

70 The *Securities Act* is amended by repealing section 14 and substituting the following:

Remuneration

14 The remuneration payable to the Chair, Vice-chair and members of the Commission shall be set by the Commission in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

Amends RSA 2000 cS-6

71 The *Seniors Advisory Council for Alberta Act* is amended in section 3

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

Council members

3(1) The Council shall consist of not more than 20 members appointed, in accordance with the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, by the Lieutenant Governor in Council for terms not exceeding 3 years.

70 Amends chapter S-4 of the Revised Statutes of Alberta 2000.
Section 14 presently reads:

14 The remuneration payable to the Chair, Vice-chair and members of the Commission shall be set by the Commission, subject to the approval of the Minister.

71 Amends chapter S-6 of the Revised Statutes of Alberta 2000.
Section 3(1), (5), (5.1) and (6) presently read:

3(1) The Council shall consist of not more than 20 members appointed by the Lieutenant Governor in Council for terms not exceeding 3 years.

(5) A member of the Council is eligible for reappointment if the reappointment does not result in more than 6 consecutive years of service by that member.

(b) by repealing subsection (5) and substituting the following:

(5) A member of the Council is, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, eligible for reappointment if the reappointment does not result in more than 6 consecutive years of service by that member.

(c) by repealing subsection (5.1) and substituting the following:

(5.1) Subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, the chair of the Council may serve as a member of the Council for more than 6 consecutive years.

(d) by repealing subsection (6) and substituting the following:

(6) The members of the Council and members of committees appointed under section 2(4)(d) shall receive

- (a) remuneration, and
- (b) travelling, living and other expenses incurred in the course of their duties under this Act,

as determined by the Minister in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

Amends RSA 2000 cS-10

72 The *Social Care Facilities Licensing Act* is amended by repealing section 10(7) and substituting the following:

(7) The Minister may, in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*, pay fees and reasonable living and travelling expenses to the members of an appeal board.

(5.1) The chair of the Council may serve as a member of the Council for more than 6 consecutive years.

(6) The members of the Council and members of committees appointed under section 2(4)(d) shall receive

(a) remuneration, and

(b) travelling, living and other expenses incurred in the course of their duties under this Act

as determined by the Minister.

72 Amends chapter S-10 of the Revised Statutes of Alberta 2000.
Section 10(7) presently reads:

(7) The Minister may pay those fees and reasonable living and travelling expenses that the Minister considers proper to the members of an appeal board.

Amends RSA 2000 cS-24

73 The *Surface Rights Act* is amended by repealing section 3(7) and substituting the following:

- (7) The chair and each member of the board shall receive
 - (a) remuneration, and
 - (b) travelling, living and other expenses incurred while away from their ordinary places of residence and in the course of their duties as members,

as fixed by the Lieutenant Governor in Council in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

Amends RSA 2000 cT-1

74 The *Teachers' Pension Plans Act* is amended by adding the following after section 23:

Regulations under the *Alberta Public Agencies Governance Act* prevail

23.1 If regulations under the *Alberta Public Agencies Governance Act* apply in respect of remuneration payable to members of the Board, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations made under section 23(2)(a).

Amends RSA 2000 cT-6

75 The *Traffic Safety Act* is amended by repealing section 22(4) and substituting the following:

- (4) The members of the Board who hold that office other than as officers or employees of the Crown or of an agency of the Crown may be paid
 - (a) remuneration, and
 - (b) payment for expenses incurred while engaged in the business of the Board,

at rates prescribed by the Lieutenant Governor in Council in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

73 Amends chapter S-24 of the Revised Statutes of Alberta 2000. Section 3(7) presently reads:

(7) The chair and each member of the Board shall receive the remuneration that is fixed by the Lieutenant Governor in Council.

74 Amends chapter T-1 of the Revised Statutes of Alberta 2000. Regulations under the Alberta Public Agencies Governance Act prevail.

75 Amends chapter T-6 of the Revised Statutes of Alberta 2000. Section 22(4) presently reads:

(4) The members of the Board who are not officers or employees of the Crown or of an agency of the Crown may be paid remuneration and expenses while engaged in the business of the Board at a rate prescribed by the Lieutenant Governor in Council.

(5) If regulations under the *Alberta Public Agencies Governance Act* establish rates in respect of remuneration or expenses referred to in subsection (4), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under that subsection.

Amends SA 2008 cT-6.5

76 The *Travel Alberta Act* is amended by repealing section 6(3) and substituting the following:

- (3) The board shall set the compensation to be paid to the Chief Executive Officer in accordance with
- (a) any applicable regulations under the *Alberta Public Agencies Governance Act*, or
 - (b) the approval of the Minister if no regulations under the *Alberta Public Agencies Governance Act* are applicable.

Amends RSA 2000 cV-3

77 The *Victims of Crime Act* is amended

(a) by repealing section 5(3) and substituting the following:

(3) Members of the Committee who hold that office other than as employees of the Government may be paid remuneration and reasonable travelling and living expenses incurred while away from their ordinary places of residence in the course of their duties as members at rates prescribed by the Minister in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(4) If regulations under the *Alberta Public Agencies Governance Act* establish rates in respect of remuneration or expenses referred to in subsection (3), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under that subsection.

(b) by repealing section 7(5) and substituting the following:

(5) Members of the Review Board who hold that office other than as employees of the Government may, in accordance

76 Amends chapter T-6.5 of the Statutes of Alberta, 2008.

Section 6(3) presently reads:

(3) The board shall set the compensation to be paid to the Chief Executive Officer subject to the Minister's approval.

77 Amends chapter V-3 of the Revised Statutes of Alberta 2000.

Sections 5(3) and 7(5) presently read:

5(3) Members of the Committee who are not employees of the Government may be paid remuneration, and may receive reasonable travelling and living expenses while away from their ordinary places of residence in the course of their duties as members of the Committee, at rates prescribed by the Minister.

7(5) Members of the Review Board who are not employees of the Government may be paid remuneration, and may receive reasonable travelling and living expenses while away from their ordinary places of residence in the course of their duties as members of the Review Board, at rates determined by the Lieutenant Governor in Council.

with any applicable regulations under the *Alberta Public Agencies Governance Act*, be paid remuneration and reasonable travelling and living expenses incurred while away from their ordinary places of residence in the course of their duties as members.

(5.1) The Lieutenant Governor in Council shall determine the rates of remuneration and expenses referred to in subsection (5) in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

Amends RSA 2000 cW-6

78 The *Wheat Board Money Trust Act* is amended by repealing section 2(3) and substituting the following:

(3) The Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act must be one of the members of the Board, and the other members of the Board are to be appointed by the Lieutenant Governor in Council in accordance with the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act.

Amends RSA 2000 cW-8

79 The *Wild Rose Foundation Act* is amended in section 2

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

(2) The Lieutenant Governor in Council may, subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, prescribe the term of office of any member appointed pursuant to subsection (1).

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

(6) If regulations under the *Alberta Public Agencies Governance Act* establish rates in respect of remuneration or expenses referred to in subsection (5), those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing a rate under that subsection.

78 Amends chapter W-6 of the Revised Statutes of Alberta 2000.
Section 2(3) presently reads:

(3) The Minister determined under section 16 of the Government Organization Act as the Minister responsible for this Act must be one of the members of the Board, and the other members of the Board are to be appointed by the Lieutenant Governor in Council and hold office during pleasure.

79 Amends chapter W-8 of the Revised Statutes of Alberta 2000.
Section 2(2) and (5) presently read:

(2) The Lieutenant Governor in Council may prescribe the term of office of any member appointed pursuant to subsection (1).

(5) The Minister may prescribe the rate of remuneration and the subsistence and travelling expenses to be paid to the members of the Foundation.

Amends RSA 2000 cW-15

80 The Workers' Compensation Act is amended

(a) in section 5

(i) by adding the following after subsection (6):

(6.1) Notwithstanding subsection (6) but subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, the Lieutenant Governor in Council may, on the recommendation of the Minister, reappoint a member of the board of directors, other than the President, for a third term not exceeding 3 years.

(6.2) The Minister may recommend that a member be reappointed under subsection (6.1) if, in the opinion of the Minister, the reappointment would be beneficial to the Board.

(ii) by repealing subsection (7) and substituting the following:

(7) Notwithstanding subsections (6) and (6.1) but subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act,

- (a) if a person other than a member of the board of directors is appointed chair, the person is eligible to serve as chair for a maximum of 3 terms not exceeding 3 years each, and
- (b) if a member of the board of directors is appointed chair, the member is, subject to subsection (8), eligible to serve as chair for a maximum of 3 terms not exceeding 3 years each.

(8) No person is eligible to serve on the board of directors for more than 10 years, taking into account the total number of years served as a member of the board of directors and as chair.

(b) in section 8 by adding the following after subsection (2):

80 Amends chapter W-15 of the Revised Statutes of Alberta 2000. Sections 5(7), 8(2), 9, 10(3), (4) and (8) and 46.1(4)(d) presently read:

5(7) Notwithstanding subsection (6), where a member of the board of directors has served 2 terms but was not appointed chair for the full duration of either term, that member is eligible for appointment as chair and member of the board of directors for one further term, not to exceed 3 years.

8(2) The salary and benefits of the President shall be determined by the board of directors of the Board and shall be paid out of the Accident Fund.

9 The remuneration of the members of the board of directors of the Board, other than the President, shall be prescribed by the Lieutenant Governor in Council and shall be paid out of the Accident Fund.

10(3) One or more temporary appeals commissioners may be appointed for terms of not more than one year and are eligible for reappointment for additional terms of not more than one year each.

(4) An appeals commissioner other than a temporary appeals commissioner may be appointed for a maximum term of 3 years and is eligible for reappointment for additional terms of not more than 3 years each.

(8) The Lieutenant Governor in Council shall set the remuneration that is payable to appeals commissioners.

46.1(4) The Lieutenant Governor in Council may make regulations

(d) respecting the remuneration and expenses to be paid to the medical panels commissioner appointed under section 46.3;

(2.1) The salary and benefits referred to in subsection (2) must be determined in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(c) by adding the following after section 9:

Regulations under the Alberta Public Agencies Governance Act prevail

9.1 If regulations under the *Alberta Public Agencies Governance Act* apply in respect of remuneration referred to in section 9, those regulations prevail, to the extent of any conflict or inconsistency, over any regulations prescribing remuneration under that section.

(d) in section 10

(i) by repealing subsections (3) and (4) and substituting the following:

(3) Subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, one or more temporary appeals commissioners may be appointed for terms of not more than one year and are eligible for reappointment for additional terms of not more than one year each.

(4) Subject to the *Alberta Public Agencies Governance Act* and any applicable regulations under that Act, an appeals commissioner other than a temporary appeals commissioner may be appointed for a maximum term of 3 years and is eligible for reappointment for additional terms of not more than 3 years each.

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

(9) The remuneration referred to in subsection (8) must be set in accordance with any applicable regulations under the *Alberta Public Agencies Governance Act*.

(e) by adding the following after section 46.1:

Regulations under the Alberta Public Agencies Governance Act prevail

46.11 If regulations under the *Alberta Public Agencies Governance Act* apply in respect of remuneration or expenses referred to in section 46.1(4)(d), those regulations

prevail, to the extent of any conflict or inconsistency, over any regulations made under section 46.1(4)(d).

Coming into force

81 This Act comes into force on Proclamation.

81 Coming into force.

RECORD OF DEBATE

Stage	Date	Member	From	To