

2020 Bill 34

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Second Session, 30th Legislature, 69 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 34**

**MISCELLANEOUS STATUTES  
AMENDMENT ACT, 2020**

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THE MINISTER OF ENVIRONMENT AND PARKS

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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*Bill 34*

## **BILL 34**

2020

### **MISCELLANEOUS STATUTES AMENDMENT ACT, 2020**

*(Assented to , 2020)*

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

#### **Alberta Personal Income Tax Act**

**Amends RSA 2000 cA-30**

**1(1) The *Alberta Personal Income Tax Act* is amended by this section.**

**(2) Section 38 is amended by striking out “15, 16, 17, 18, 19 and 20” wherever it occurs and substituting “17, 18 and 19”.**

## Explanatory Notes

### Alberta Personal Income Tax Act

**1**(1) Amends chapter A-30 of the Revised Statutes of Alberta 2000.

(2) Section 38 presently reads:

*38 Despite sections 8, 9, 11, 12, 13, 15, 16, 17, 18, 19 and 20, for the purposes of computing tax payable under this Act for a taxation year by an individual referred to in section 6.1(3), the amount that may be deducted under those provisions must not exceed the portion of such amount determined by the formula*

$$A \times \frac{C - D}{C}$$

*where*

*A is the total of those credits under sections 8, 9, 11, 12, 13, 15, 16, 17, 18, 19 and 20 that the individual is entitled to claim;*

*C and D are the individual's amounts for the year as described in section 6.1(3).*

## **Child, Youth and Family Enhancement Act**

### **Amends RSA 2000 cC-12**

**2(1) The *Child, Youth and Family Enhancement Act* is amended by this section.**

**(2) Section 8(1) is amended by striking out “in the prescribed form”.**

**(3) Section 9 is amended by striking out “in the prescribed form”.**

**(4) Section 14(1) is amended by striking out “in the prescribed form”.**

**(5) Section 34(10) is amended by striking out “in the prescribed form”.**

**(6) Section 43.1(3)(b)(ii) is amended by striking out “in the prescribed form”.**

## Child, Youth and Family Enhancement Act

**2(1)** Amends chapter C-12 of the Revised Statutes of Alberta 2000.

(2) Section 8(1) presently reads in part:

*8(1) A director may enter into an agreement in the prescribed form with the guardian of a child or with another person who, with the express or implied consent of the guardian or pursuant to a Court order or an agreement, has custody of the child with respect to the provision of services to the family or the child if, in the opinion of the director,*

(3) Section 9 presently reads in part:

*9 Subject to section 33, a director may enter into an agreement in the prescribed form for terms of not more than 6 months each with the guardian of a child under which custody of the child is given to the director if, in the opinion of the director,*

(4) Section 14(1) presently reads in part:

*14(1) A director may enter into an agreement in the prescribed form with*

(5) Section 34(10) presently reads in part:

*(10) A director may enter into an agreement in the prescribed form with*

(6) Section 43.1(3)(b) presently reads in part:

*(3) If a director confines a child pursuant to subsection (1),*

*(b) the director may also apply in the prescribed form for a secure services order in respect of the child for a further period of not more than 7 days if it is necessary*

*(ii) to assess the child and prepare a plan for services in the prescribed form.*

**(7) Section 44(4)(b) is amended by striking out “in the prescribed form”.**

**(8) Section 52 is amended**

- (a) in subsection (1.1) by striking out “in the form required in the regulations”;**
- (b) in subsection (1.3) by striking out “, made in accordance with the regulations,”.**

**(9) Section 57.2 is amended**

- (a) in subsection (1) by striking out “in the prescribed form”;**
- (b) in subsection (2) by striking out “in the prescribed form”;**
- (c) in subsection (3)(b) by striking out “, in the prescribed form,”.**

**(10) Section 57.4(1) is amended by striking out “in the prescribed form”.**

(7) Section 44(4)(b) presently reads:

*(4) Before the termination of the secure services order granted under subsection (2), a director may apply to the Court in the prescribed form for a continuation of the secure services order and the Court may continue the secure services order for an additional period of not more than 5 days if further confinement is necessary*

*(b) to assess the child and prepare a plan for services in the prescribed form.*

(8) Section 52 presently reads in part:

*(1.1) An application under subsection (1) must include a home study report in the form required in the regulations prepared by a qualified person respecting*

*(1.3) If an applicant has reason to believe that the child is an Indigenous child, the application under subsection (1) must include a plan, made in accordance with the regulations, that addresses how the child's Indigenous identity, culture, heritage, spirituality, language and traditions will be respected, supported and preserved.*

(9) Section 57.2 presently reads in part:

*57.2(1) A director may enter into an agreement in the prescribed form with a youth with respect to the provision of services to the youth if the director is*

*(2) Subject to section 33, a director may enter into a custody agreement in the prescribed form for terms of not more than 6 months each with a youth under which custody is given to the director if the director is*

*(3) The terms of an agreement under this section must include*

*(b) a plan of care, in the prescribed form, that addresses the youth's need for preparation for the transition to independence and adulthood.*

(10) Section 57.4(1) presently reads:

*57.4(1) If*

*(a) a child is in the custody of a director or the subject of a temporary guardianship order or a permanent guardianship agreement or order, or*

**(11) Section 57.8(1) is amended by striking out** “in accordance with the regulations”.

**(12) Section 63 is amended**

- (a) in subsection (1)(f) by striking out** “, made in accordance with the regulations,”;
- (b) in subsection (2)(f) by striking out** “, made in accordance with the regulations,”;
- (c) in subsection (3)(e) by striking out** “, made in accordance with the regulations,”.



*(b) a director has entered into an agreement with a child under section 57.2,*

*a director may enter into an agreement in the prescribed form with the parent of the child whereby the parent agrees to provide child support.*

(11) Section 57.8(1) presently reads:

*57.8(1) In order to assist a director in determining terms of an agreement under section 57.4 or to assist the Court in determining terms of an order under section 57.5, the director may request a parent to disclose financial information in accordance with the regulations.*

(12) Section 63 presently reads in part:

*63(1) An application for an adoption order in respect of a child who is the subject of a permanent guardianship agreement or order or who is the subject of an equivalent order or agreement in another country and has been lawfully admitted to Canada for permanent residence shall be filed with the Court by a director and must be accompanied with the following documentation:*

*(f) if the applicant has reason to believe that the child is an Indigenous child, a plan, made in accordance with the regulations, that addresses how the child's Indigenous identity, culture, heritage, spirituality, language and traditions will be respected, supported and preserved.*

*(2) An application for an adoption order in respect of a child who is placed in the custody of the applicant by a licensed adoption agency shall be filed with the Court by an officer of the licensed adoption agency and must be accompanied with the following documentation:*

*(f) if the applicant has reason to believe that the child is an Indigenous child, a plan, made in accordance with the regulations, that addresses how the child's Indigenous identity, culture, heritage, spirituality, language and traditions will be respected, supported and preserved.*

*(3) An application for an adoption order in respect of a child whose step-parent is the applicant or a child who is placed by a parent directly in the custody of an applicant shall be filed with the Court and must be accompanied with the following documentation:*

**(13) Section 117.1(1) is amended by striking out “in the prescribed form”.**

**(14) Section 120(3) is amended by striking out “in the prescribed form”.**

**(15) Section 131(2)(II) is repealed.**

**(16) This section has effect on September 30, 2020.**

### **Condominium Property Act**

**Amends RSA 2000 cC-22**

**3(1) The *Condominium Property Act* is amended by this section.**

**(2) Section 50(1) is amended by striking out “section 49” and substituting “sections 37(3) and 49”.**

### **Electronic Transactions Act**

**Amends SA 2001 cE-5.5**

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

**(2) Section 1(1) is amended by adding the following after clause (c):**

(e) *in the case of an applicant who is not a step-parent of the child, if the applicant has reason to believe that the child is an Indigenous child, a plan, made in accordance with the regulations, that addresses how the child's Indigenous identity, culture, heritage, spirituality, language and traditions will be respected, supported and preserved.*

(13) Section 117.1(1) presently reads in part:

*117.1(1) The following persons directly affected by a decision of a director under this Act may request, in the prescribed form within 30 days of the decision, that the director review the decision:*

(14) Section 120(3) presently reads in part:

*(3) A notice of appeal in the prescribed form*

(15) Section 131(2)(ll) presently reads:

*(2) The Minister may make regulations*

*(ll) respecting plans of care under section 57.2;*

(16) Coming into force.

### **Condominium Property Act**

**3(1)** Amends chapter C-22 of the Revised Statutes of Alberta 2000.

(2) Section 50(1) presently reads:

*50(1) Notwithstanding section 49, a corporation may, by means of a bylaw, lease, licence or other instrument, grant an owner the right to exercise exclusive possession in respect of an area of the real property of the corporation or the common property.*

### **Electronic Transactions Act**

**4(1)** Amends chapter E-5.5 of the Statutes of Alberta, 2001.

(2) Section 1(1) presently reads in part:

- (c.1) “interests in land” means interests in land that require registration to be effective against third parties;

## **Family Law Act**

### **Amends SA 2003 cF-4.5**

**5(1) The *Family Law Act* is amended by this section.**

**(2) Section 1 is amended in clauses (d) and (k) by striking out “means” and substituting “means, except where used in an express reference to the *Divorce Act* (Canada),”.**

**(3) Section 38(1)(g) is repealed and the following is substituted:**

- (g) “time with a child clause” means a provision granting time with a child at determinable times, on determinable days or dates or for determinable periods that is contained in one of the following orders, whether interim or from an extra-provincial tribunal or otherwise:
- (i) a parenting order or contact order under this Act,
  - (ii) a parenting order or contact order under the *Divorce Act* (Canada), or
  - (iii) an order granting decision-making responsibility, parenting time, contact or a right of custody or access in respect of a child under legislation that is similar to this Act or the *Divorce Act* (Canada), but not including an order under the *Child, Youth and Family Enhancement Act* or similar legislation.

1(1) *In this Act,*

- (c) *“electronic signature” means electronic information that a person creates or adopts in order to sign a record and that is in, attached to or associated with the record;*
- (d) *“local public body” means a local public body as defined in the Freedom of Information and Protection of Privacy Act;*

### **Family Law Act**

5(1) Amends chapter F-4.5 of the Statutes of Alberta, 2003.

(2) Section 1 presently reads in part:

1 *In this Act,*

- (d) *“contact order” means an order made under section 35;*
- (k) *“parenting order” means an order made under section 32;*

(3) Section 38(1) presently reads in part:

38(1) *In this Division,*

- (g) *“time with a child clause” means a provision granting time with a child at determinable times, on determinable days or dates or for determinable periods that is contained in one of the following orders, whether interim or from an extra-provincial tribunal or otherwise, but not including an order made under the Child, Youth and Family Enhancement Act:*
  - (i) *a parenting order,*
  - (ii) *a contact order, or*
  - (iii) *an order granting a right of custody or access to a child under the Provincial Court Act, the Divorce Act or similar legislation.*

**(4) Section 45.1 is repealed and the following is substituted:**

**Effect of divorce proceedings**

**45.1** The jurisdiction of the court to make or vary a guardianship order, parenting order or contact order under this Act continues in effect unless and until a court makes an interim or final parenting order under the *Divorce Act* (Canada) or an interim or final contact order under that Act in divorce proceedings.

**(5) This section has effect on the coming into force of section 12 of *An Act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another Act*, chapter 16 of the Statutes of Canada, 2019.**

**Fiscal Measures and Taxation Act, 2019**

**Amends SA 2019 c20**

**6(1) The *Fiscal Measures and Taxation Act, 2019* is amended by this section.**

**(2) Section 9(32)(a) is repealed.**

**Garage Keepers' Lien Act**

**Amends RSA 2000 cG-2**

**7(1) The *Garage Keepers' Lien Act* is amended by this section.**

**(2) Section 6(2)(a) is amended by striking out “a warrant in the prescribed form” and substituting “a warrant in a form set by the Registrar”.**

(4) Section 45.1 presently reads:

*45.1 The jurisdiction of the court to make or vary a guardianship order, parenting order or contact order continues in effect unless and until a court makes an interim or final order with respect to custody or access in divorce proceedings under the Divorce Act (Canada).*

(5) Coming into force.

#### **Fiscal Measures and Taxation Act, 2019**

**6(1)** Amends chapter 20 of the Statutes of Alberta, 2019.

(2) Section 9(32)(a) presently reads in part:

*(a) by striking out “15, 16, 18, 19 and 20” wherever it occurs and substituting “18 and 19”;*

#### **Garage Keepers’ Lien Act**

**7(1)** Amends chapter G-2 of the Revised Statutes of Alberta 2000.

(2) Section 6(2)(a) presently reads:

*(2) A lien determines on the expiry of 6 months from the date of registration of a financing statement unless, within that 6-month period,*

*(a) there is delivered to a civil enforcement agency proof satisfactory to the civil enforcement agency that the lien is the subject of a subsisting registration in the Registry and a warrant in the prescribed form addressed to the civil enforcement agency and directing the civil enforcement*

## **Interpretation Act**

**Amends RSA 2000 ci-8**

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

**(2) Section 20 is amended by adding the following after subsection (3):**

**(3.1)** If a person is appointed by or under the authority of an enactment to an office for a specified term of office and resigns before the term of office expires, that person's resignation is deemed to terminate that appointment.

**(3.2)** A resignation from a term of office under subsection (3.1) is not effective unless it is provided in writing.

**(3.3)** The effective date of the resignation from a term of office referred to in subsection (3.1) is the later of

- (a) the date the resignation is provided, or
- (b) the date specified in the written resignation.

## **Jury Act**

**Amends RSA 2000 cJ-3**

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

**(2) Section 4(k)(iv) is repealed and the following is substituted:**

- (iv) members and employees of the Department of Justice of Canada, the Department of Public Safety and Emergency Preparedness, the Canadian Security Intelligence Service, the Canadian Border Services Agency and the Parole Board of Canada.



*agency to seize the motor vehicle or farm vehicle in accordance with the requirements of the Civil Enforcement Act, and*

### **Interpretation Act**

**8(1)** Amends chapter I-8 of the Revised Statutes of Alberta 2000.

(2) Section 20 presently reads in part:

*(3) If a person is appointed by or under the authority of an enactment to an office for a term of office that is to conclude, expire or otherwise come to an end on an expressed day, the term of office includes that day.*

*(4) If the appointment of a person by or under the authority of an enactment is terminated, revoked or rescinded effective on a specified day, that termination, revocation or rescission, whether or not that person holds office for a term of office that is to conclude, expire or otherwise come to an end on an expressed day, is deemed to be effective immediately on the beginning of the specified day.*

### **Jury Act**

**9(1)** Amends chapter J-3 of the Revised Statutes of Alberta 2000.

(2) Section 4(k)(iv) presently reads:

*4 The following persons are excluded from serving as jurors:*

*(k) persons engaged in the administration of justice, including*

*(iv) employees of the Department of Justice of Canada or the Department of the Solicitor General of Canada.*

## **Marriage Act**

**Amends RSA 2000 cM-5**

**10(1)** The *Marriage Act* is amended by this section.

**(2)** Section 14(1) is amended by striking out “in the prescribed form” and substituting “in a form set by the Registrar”.

**(3)** Section 19(1) is repealed and the following is substituted:

### **Consent**

**19(1)** Subject to this section, the consent of each guardian of a person under 18 years of age is required, in a form set by the Registrar, in order for that person to marry.

## **Motor Vehicle Accident Claims Act**

**Amends RSA 2000 cM-22**

**11(1)** The *Motor Vehicle Accident Claims Act* is amended by this section.

**(2)** Section 23 is repealed.

## **Petty Trespass Act**

**Amends RSA 2000 cP-11**

**12(1)** The *Petty Trespass Act* is amended by this section.

**(2)** Section 1 is amended by striking out “section (1.1)” and substituting “section 1.1”.

## **Marriage Act**

**10(1)** Amends chapter M-5 of the Revised Statutes of Alberta 2000.

(2) Section 14(1) presently reads:

*14(1) An issuer shall not issue a marriage licence until the prescribed licence fee is paid to the issuer and each of the applicants for the licence has delivered to the issuer an affidavit of particulars in the prescribed form.*

(3) Section 19(1) presently reads:

*19(1) Subject to this section, the consent of the guardians of a person under 18 years of age are required for the marriage of that person.*

## **Motor Vehicle Accident Claims Act**

**11(1)** Amends chapter M-22 of the Revised Statutes of Alberta 2000.

(2) Section 23 presently reads:

*23 The Administrator shall have a seal of office in a form prescribed by the Minister.*

## **Petty Trespass Act**

**12(1)** Amends chapter P-11 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads:

*1 This Act does not apply to Crown land except, subject to section (1.1), Crown land subject to a disposition granted under the Public Lands Act.*

## **Protection of Sexually Exploited Children Act**

**Amends RSA 2000 cP-30.3**

**13(1) The *Protection of Sexually Exploited Children Act* is amended by this section.**

**(2) Section 7.1(2) is amended by striking out “be in the form provided for in the regulations and must”.**

**(3) Section 7.2(2) is amended by striking out “be in the form provided for in the regulations and must”.**

**(4) This section has effect on September 30, 2020.**

## **Provincial Offences Procedure Act**

**Amends RSA 2000 cP-34**

**14(1) The *Provincial Offences Procedure Act* is amended by this section.**

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

### **Failure to attend**

**5(1) A person who, being at large on a release order, fails without lawful excuse, the proof of which lies on the person, to**

### **Protection of Sexually Exploited Children Act**

**13(1)** Amends chapter P-30.3 of the Revised Statutes of Alberta 2000.

(2) Section 7.1(2) presently reads:

*(2) The agreement must be in the form provided for in the regulations and must*

- (a) describe the programs or other services to be made available,*
- (b) state the contributions, financial or otherwise, to be made by the guardian with respect to the programs or other services to be made available to the child,*
- (c) state the duration of the agreement, and*
- (d) state how the agreement may be amended or terminated.*

(3) Section 7.2(2) presently reads:

*(2) An agreement must be in the form provided for in the regulations and must*

- (a) describe the services to be made available,*
- (b) state the duration of the agreement, and*
- (c) state how the agreement may be amended or terminated.*

(4) Coming into force.

### **Provincial Offences Procedure Act**

**14(1)** Amends chapter P-34 of the Revised Statutes of Alberta 2000.

(2) Section 5 presently reads:

*5(1) A person who, being at large on the person's own undertaking or recognizance given to or entered into before a justice, fails without lawful excuse, the proof of which lies on the person, to*

attend Court in accordance with that release order, or to surrender themselves in accordance with that release order or an order of a justice, as the case may be, is guilty of an offence.

**(2)** A person who, being at large on a release order, fails without lawful excuse, the proof of which lies on the person, to comply with a condition of that release order, is guilty of an offence.

**(3)** A person who is served with a summons and who fails without lawful excuse, the proof of which lies on the person, to attend Court in accordance with that summons is guilty of an offence.

**(4)** A person who is named in

- (a) an appearance notice, or
- (b) an undertaking,

that has been confirmed by a justice and who fails without lawful excuse, the proof of which lies on the person, to attend Court in accordance with the appearance notice or undertaking is guilty of an offence.

**(5)** A person who, without lawful excuse, the proof of which lies on the person, fails to comply with any condition of an undertaking is guilty of an offence.

**(6)** For the purpose of subsection (4), it is not a lawful excuse that an appearance notice or undertaking does not correctly state the substance of the alleged offence.

**(7)** If at the trial of a person for an offence that person does not appear at the time and place appointed for the trial or the resumption of the trial and the justice proceeds to conduct the trial ex parte, no proceedings shall be instituted under this section arising out of the failure of the person to appear.

**(8)** In proceedings under subsection (1), (3) or (4), a certificate purporting to be signed by the clerk or a justice before whom the person is alleged to have failed to attend, stating that

*attend Court in accordance with that undertaking or recognizance or to surrender himself or herself in accordance with an order of the justice, as the case may be, is guilty of an offence.*

*(2) A person who, being at large on the person's own undertaking or recognizance given to or entered into before a justice and being bound to comply with a condition of that undertaking or recognizance directed by a justice, fails without lawful excuse, the proof of which lies on the person, to comply with that condition, is guilty of an offence.*

*(3) A person who is served with a summons and who fails without lawful excuse, the proof of which lies on the person, to attend Court in accordance with that summons is guilty of an offence.*

*(4) A person who is named in*

*(a) an appearance notice,*

*(b) a promise to appear, or*

*(c) a recognizance entered into before an officer in charge or another peace officer,*

*that has been confirmed by a justice and who fails without lawful excuse, the proof of which lies on the person, to attend Court in accordance with the appearance notice, promise to appear or recognizance, is guilty of an offence.*

*(4.1) A person who, without lawful excuse, the proof of which lies on the person, fails to comply with any condition of an undertaking entered into before an officer in charge or another peace officer is guilty of an offence.*

*(5) For the purpose of subsection (4), it is not a lawful excuse that an appearance notice, promise to appear or recognizance does not correctly state the substance of the alleged offence.*

*(6) If at the trial of a person for an offence that person does not appear at the time and place appointed for the trial or the resumption of the trial and the justice proceeds to conduct the trial ex parte, no proceedings shall be instituted under this section arising out of the failure of the person to appear.*

*(7) In proceedings under subsection (1), (3) or (4), a certificate purporting to be signed by the clerk or a justice before whom the person is alleged to have failed to attend, stating that*

- (a) in the case of proceedings under subsection (1), a person who being at large on a release order failed to attend Court,
- (b) in the case of proceedings under subsection (3), a summons was issued to and served on the person and the person failed to attend Court in accordance with the summons, and
- (c) in the case of proceedings under subsection (4), the person was named in an appearance notice or undertaking that was confirmed by a justice, and the accused failed to attend Court in accordance with the appearance notice or undertaking,

is evidence of the statements contained in the certificate without proof of the signature or the official character of the person appearing to have signed the certificate.

**(9)** A person against whom a certificate described in subsection (8) is produced may, with the permission of the Court, require the attendance of the person producing the certificate for the purpose of cross-examination.

**(10)** A certificate shall not be received in evidence pursuant to subsection (8) unless the party intending to produce it has, before the trial, given to the accused reasonable notice of the party's intention, together with a copy of the certificate.

### **Public Service Act**

**Amends RSA 2000 cP-42**

**15(1) The *Public Service Act* is amended by this section.**

**(2) Section 25.01 is amended**

**(a) in subsection (1)**

**(i) by adding “and sections 25.02 and 25.04” after “section”;**

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



- (a) *in the case of proceedings under subsection (1), the person gave or entered into an undertaking or recognizance before a justice and failed to attend Court in accordance with the undertaking or recognizance,*
- (b) *in the case of proceedings under subsection (3), a summons was issued to and served on the person and the person failed to attend Court in accordance with the summons, and*
- (c) *in the case of proceedings under subsection (4), the person was named in an appearance notice, a promise to appear or a recognizance entered into before an officer in charge or another peace officer, that was confirmed by a justice, and the accused failed to attend Court in accordance with the appearance notice, promise to appear or recognizance,*

*is evidence of the statements contained in the certificate without proof of the signature or the official character of the person appearing to have signed the certificate.*

*(8) A person against whom a certificate described in subsection (7) is produced may, with the permission of the Court, require the attendance of the person producing the certificate for the purpose of cross-examination.*

*(9) A certificate shall not be received in evidence pursuant to subsection (7) unless the party intending to produce it has, before the trial, given to the accused reasonable notice of the party's intention, together with a copy of the certificate.*

## **Public Service Act**

**15(1)** Amends chapter P-42 of the Revised Statutes of Alberta 2000.

(2) Section 25.01 presently reads in part:

*25.01(1) In this section,*

*(b) "continuous service" means the last period of employment that is not interrupted by a break in service.*

*(6) No severance pay shall be provided under subsection (4) without the approval of the Commissioner and the Deputy Attorney General.*

- (c) “office of the Legislature” means
  - (i) the Legislative Assembly Office,
  - (ii) the Office of the Auditor General,
  - (iii) the Office of the Ombudsman,
  - (iv) the Office of the Chief Electoral Officer,
  - (v) the Office of the Ethics Commissioner,
  - (vi) the Office of the Information and Privacy Commissioner,
  - (vii) the Office of the Child and Youth Advocate, and
  - (viii) the Office of the Public Interest Commissioner.

**(b) by repealing subsection (6) and substituting the following:**

**(6)** No severance pay shall be provided under subsection (4) without the approval of

- (a) in the case of termination of an employee of an office of the Legislature, the deputy head of that office, or
- (b) in the case of the termination of an employee other than an employee of an office of the Legislature, the Commissioner and the Deputy Attorney General.

**(c) in subsection (7) by striking out “subsection (6)” and substituting “subsection 6(b)”.**

**(3) Section 25.02 is amended**

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

**Repayment**

**25.02(1)** Where an employee who has received severance pay becomes employed with any of the following employers during the period of notice to which the severance pay is attributable, the employee shall repay the amount determined under subsection (1.1):

*(7) The Deputy Attorney General may delegate to any person the authority to approve the provision of severance pay under subsection (6).*

(3) Section 25.02 presently reads:

*25.02(1) Where an employee who has received severance pay becomes employed with either the Crown in right of Alberta or a public agency to which the Alberta Public Agencies Governance Act applies during the period of notice to which the employee is entitled under section 25.01(3), the employee shall repay the portion of the severance pay attributable to the period starting on the day the employee becomes employed with the Crown or the public agency and ending at the end of the period of notice.*

- (a) the Crown in right of Alberta;
- (b) a public agency to which the *Alberta Public Agencies Governance Act* applies;
- (c) an office of the Legislature.

**(1.1)** The amount to be repaid under subsection (1) is the lesser of

- (a) the gross amount of severance pay received by the employee, and
- (b) the gross amount of earnings of the employee from employment with the employer referred to in subsection (1) during the period of notice to which the severance pay received by the employee is attributable.

**(b) in subsection (2) by striking out** “by the Crown to the employee” **and substituting** “to the employee by the employer referred to in that subsection”.

**(4) Section 25.04(1) is amended by adding** “, or against the Legislative Assembly, the Speaker of the Legislative Assembly, an office of the Legislature, or any agents, appointees or employees of the Legislative Assembly or an office of the Legislature” **after** “appointees or employees”.

## Religious Societies' Land Act

Amends RSA 2000 cR-15

**16(1) The *Religious Societies' Land Act* is amended by this section.**

**(2) Section 12(2)(b) is repealed.**

*(2) An amount required to be repaid under subsection (1) is a debt due the Crown in right of Alberta and may be recovered by the Crown by action or by withholding the amount to be repaid from any salary or other money that would otherwise be payable by the Crown to the employee.*

(4) Section 25.04(1) presently reads:

*25.04(1) No cause of action or proceeding lies or shall be commenced against the Crown or any of its ministers, agents, appointees or employees*

*(a) as a direct or indirect result of the enactment of this section and sections 25.01 to 25.03 and 25.05, or*

*(b) as a direct or indirect result of anything done or omitted to be done in order to comply with this section and sections 25.01 to 25.03 and 25.05, including any denial or reduction of compensation that would otherwise have been payable to any person.*

#### **Religious Societies' Land Act**

**16(1)** Amends chapter R-15 of the Revised Statutes of Alberta 2000.

(2) Section 12(2)(b) presently reads:

**(3) Section 22(2) is repealed.**

### **Safer Communities and Neighbourhoods Act**

**Amends SA 2007 cS-0.5**

**17(1) The *Safer Communities and Neighbourhoods Act* is amended by this section.**

**(2) Section 3(1)(e)(i) is amended by adding “or cannabis” after “liquor”.**

### **Teaching Profession Act**

**Amends RSA 2000 cT-2**

**18(1) The *Teaching Profession Act* is amended by this section.**

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

(h) “Registrar” means the Registrar appointed under the regulations made under the *Education Act*.

*(2) A majority of those members of the congregation present at the meeting shall pass a declaration of incorporation in the prescribed form that shall set out*

*(b) any information respecting the members of the congregation that may be required by regulations under the Agricultural and Recreational Land Ownership Act and section 35 of the Citizenship Act (Canada) in the form and manner prescribed by those regulations;*

(3) Section 22(2) presently reads:

*(2) A written return made under subsection (1) shall be accompanied with any information respecting the members of the corporation that may be required by regulations under the Agricultural and Recreational Land Ownership Act and section 35 of the Citizenship Act (Canada) in the form and manner prescribed by those regulations.*

### **Safer Communities and Neighbourhoods Act**

**17(1)** Amends chapter S-0.5 of the Statutes of Alberta, 2007.

(2) Section 3(1)(e) presently reads in part:

*3(1) In this Part,*

*(e) “specified use” means, in relation to property, the use of property for*

*(i) the manufacturing, import, purchase, sale, transport, giving, possession, storage, consumption or use of liquor, as defined in the Gaming, Liquor and Cannabis Act, in contravention of that Act,*

### **Teaching Profession Act**

**18(1)** Amends chapter T-2 of the Revised Statutes of Alberta 2000.

(2) Section 16(h) presently reads:

*16 In this section and sections 17 to 65,*

*(h) “Registrar” means the Director of Professional Development and Certification for the Department.*

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