

2021 Bill 69

Second Session, 30th Legislature, 70 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 69

MISCELLANEOUS STATUTES AMENDMENT ACT, 2021

THE MINISTER OF ENVIRONMENT AND PARKS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 69

2021

MISCELLANEOUS STATUTES AMENDMENT ACT, 2021

(Assented to _____, 2021)

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

Alberta Investment Attraction Act

Amends SA 2020 cA-26.4

1(1) The *Alberta Investment Attraction Act* is amended by this section.

(2) Section 1(e) is repealed and the following is substituted:

- (e) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

Commercial Tenancies Protection Act

Amends SA 2020 cC-19.5

2(1) The *Commercial Tenancies Protection Act* is amended by this section.

(2) Section 1(e) is repealed and the following is substituted:

- (e) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;

Explanatory Notes

Alberta Investment Attraction Act

1(1) Amends chapter A-26.4 of the Statutes of Alberta, 2020.

(2) Section 1(e) presently reads:

1 In this Act,

(e) “Minister” means the Minister of Economic Development, Trade and Tourism.

Commercial Tenancies Protection Act

2(1) Amends chapter C-19.5 of the Statutes of Alberta, 2020.

(2) Section 1(e) presently reads:

1 In this Act,

(e) “Minister” means the Minister of Economic Development, Trade and Tourism;

Companies Act

Amends RSA 2000 cC-21

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

(2) Section 1 is amended by adding the following before clause (a.01):

(a.001) “agent for service” means an agent for service appointed by a company under section 29.1;

(3) This section has effect on March 29, 2021.

Companies Act

3(1) Amends chapter C-21 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads:

1 In this Act,

(a.01) “articles” means

(i) the articles of association prescribing regulations for a company, whether as originally framed or as altered by special resolution, and including, insofar as they apply to the company, the regulations contained, as the case may be,

(A) in Table A in the Schedule to this Act or in the First Schedule to The Companies Act, RSA 1955 c53 or RSA 1942 c240, or to The Companies Act, 1929, SA 1929 c14, or

(B) in Table A in the First Schedule or in Form B in the Second Schedule to The Companies Act, RSA 1922 c156, or to The Companies Ordinance, ONWT 1901 c20,

or in any such table as altered pursuant to any such Act or Ordinance, and

(ii) the bylaws of a company incorporated under Ordinance No. 3 of 1886, being The Companies Ordinance, RONWT 1888 c30 or under The Companies Ordinance, CONWT 1898 c61, as originally framed or duly altered;

(3) Coming into force.

Dangerous Goods Transportation and Handling Act

Amends RSA 2000 cD-4

4(1) The *Dangerous Goods Transportation and Handling Act* is amended by this section.

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

(c.2) “Director” means the Director of Dangerous Goods designated under section 5.1;

(3) The following is added after section 5:

Designation of Director

5.1 The Minister may designate a person as the Director of Dangerous Goods.

(4) This section has effect on July 30, 2021.

Employment Standards Code

Amends RSA 2000 cE-9

5(1) The *Employment Standards Code* is amended by this section.

(2) Section 23.1(3)(d) is amended by striking out “matters set out in subsection (4)” and substituting “matters set out in subsection (4)”.

(3) Section 74.1(2)(b) is amended by striking out “the employers and the employees” and substituting “the employer or employers, and the employee or employees,”.

Dangerous Goods Transportation and Handling Act

4(1) Amends chapter D-4 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

1 In this Act,

(c.2) "Director" means the Director of the Dangerous Goods and Rail Safety Branch of Alberta Transportation;

(3) Designation of Director.

(4) Coming into force.

Employment Standards Code

5(1) Amends chapter E-9 of the Revised Statutes of Alberta 2000.

(2) Section 23.1 presently reads in part:

(3) An averaging arrangement must

(d) unless a collective agreement provides otherwise, include a schedule setting out the daily and weekly hours of work for the averaging period and, if the averaging arrangement specifies the matters set out in subsection (4), a statement that the employer may amend the schedule in accordance with the averaging arrangement, and

(3) Section 74.1 presently reads in part:

Family Support for Children with Disabilities Act

Amends SA 2003 cF-5.3

6(1) The *Family Support for Children with Disabilities Act* is amended by this section.

(2) Section 4(1) is amended by striking out “provided for in the regulations” **and substituting** “satisfactory to the director”.

(3) Section 7(2) is amended by striking out “in the form provided for in the regulations” **and substituting** “in a format satisfactory to the director”.

Income and Employment Supports Act

Amends SA 2003 cl-0.5

7(1) The *Income and Employment Supports Act* is amended by this section.

(2) *An order made under subsection (1) must*

- (b) *identify the employers and the employees to whom the order applies or the employment to which the order applies, as the case may be,*

Family Support for Children with Disabilities Act

6(1) Amends chapter F-5.3 of the Statutes of Alberta, 2003.

(2) Section 4(1) presently reads:

4(1) If

- (a) *a medical diagnosis, in a format satisfactory to the director, of a child's condition or impairment indicates that the child has a disability, and*
- (b) *an assessment of the child, completed in a manner satisfactory to the director, indicates that the disability significantly limits the child's ability to function in normal daily living,*

the director and the child's guardian may enter into an agreement, in a form provided for in the regulations, with respect to the provision of child-focused services.

(3) Section 7(2) presently reads:

- (2) *An appeal under subsection (1) must be commenced by serving a notice of appeal, in the form provided for in the regulations, on the director within 45 days of the date on which the guardian has been notified of the decision that is the subject of the appeal.*

Income and Employment Supports Act

7(1) Amends chapter I-0.5 of the Statutes of Alberta, 2003.

(2) Section 6(1)(a)(ii) is amended by striking out “not expected to work” and substituting “barriers to full employment”.

(3) Section 29 is amended

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

(4) Section 30(1)(a) is amended by striking out “in the prescribed form”.

Municipal Government Act

Amends RSA 2000 cM-26

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

(2) Section 6(1)(a)(ii) presently reads:

6(1) A household unit is eligible for income support and benefits if

(a) the household unit is designated in accordance with the regulations as being included in one of the following categories:

(ii) not expected to work, as defined in the regulations;

(3) Section 29 presently reads in part:

(2) The Director may assist a person referred to in subsection (1)

(a) in entering into a support agreement in the prescribed form with the person who is obligated to pay support and arrears, if any, and

(3) For the purposes of subsection (1), the Director has all the rights of a person referred to in subsection (1) and may take any steps to obtain, enforce or vary a support order or support agreement, including

(a) entering into a support agreement in the prescribed form with the person who is obligated to pay the support and arrears, if any;

(4) Section 30(1)(a) presently reads:

30(1) Where a person is not receiving assistance but meets the eligibility requirements provided for in the regulations, the Director may, subject to the regulations,

(a) assist the person in entering into a support agreement in the prescribed form with the person who is obligated to pay support and arrears, if any,

Municipal Government Act

8(1) Amends chapter M-26 of the Revised Statutes of Alberta 2000.

(2) Section 137(1)(e) is amended by striking out “this or another enactment to give effect to the order” **and substituting** “one or more provisions of this or another enactment for the purposes of the order”.

Oil and Gas Conservation Act

Amends RSA 2000 cO-6

9(1) The *Oil and Gas Conservation Act* is amended by this section.

(2) Section 72 is amended by striking out “Board” and substituting “Regulator”.

Public Service Employee Relations Amendment Act, 2018

Amends 2018 c21

10(1) The *Public Service Employee Relations Amendment Act, 2018* is amended by this section.

(2) Section 6(6) is amended by striking out “209(1)” and substituting “208.1(1)”.

(2) Section 137(1) presently reads in part:

137(1) An order of formation, change of status, amalgamation, annexation or dissolution may, in respect of any municipal authority affected by the order, contain provisions dealing with the following:

(e) the application, addition, change or substitution of this or another enactment to give effect to the order.

Oil and Gas Conservation Act

9(1) Amends chapter O-6 of the Revised Statutes of Alberta 2000.

(2) Section 72 presently reads:

72 A debt to the Regulator to the account of the orphan fund shall, for the purpose of enforcement of payment of the debt, be treated the same as any other debt to the Regulator, and all the same remedies under this Act are available to the Board for that purpose.

Public Service Employees Relations Amendment Act, 2018

10(1) Amends chapter 21 of the Statutes of Alberta, 2018.

(2) Section 6(6) presently reads:

(6) The following is added after section 208:

209(1) In this section,

(a) “Amending Act” means the Public Service Employee Relations Amendment Act, 2018;

(b) “effective date” means July 1, 2022.

(2) On the effective date, the following applies:

- (a) *a bargaining agent under the Public Service Employee Relations Act for a unit of employees referred to in sections 5(2), 6(2) and 7(2) of the Schedule to the Public Service Employee Relations Act is deemed to be on the effective date a bargaining agent under this Act for those employees, and the Labour Relations Board shall issue a certificate under this Act as a replacement for the certificate held by that bargaining agent under the Public Service Employee Relations Act;*
 - (b) *collective agreements under the Public Service Employee Relations Act with respect to the employees referred to in clause (a) that were entered into before the effective date, and any grievances arising under those collective agreements, shall be governed by this Act;*
 - (c) *applications and complaints filed under the Public Service Employee Relations Act before the effective date shall continue to their conclusion under the Public Service Employee Relations Act;*
 - (d) *subject to clause (e), any collective bargaining commenced pursuant to a notice to bargain given under section 20 of the Public Service Employee Relations Act before the effective date shall continue as if the notice to bargain had been given under section 59 of this Act;*
 - (e) *if a collective bargaining dispute has been referred to a compulsory arbitration board established pursuant to section 32 of the Public Service Employee Relations Act before the effective date, that arbitration shall continue to its conclusion as if section 5 of the Amending Act had not come into force, and the collective agreement resulting from that arbitration shall be treated as if it were a collective agreement entered into under this Act.*
- (3) *If any dispute arises about*
- (a) *the operation of subsection (2), or*
 - (b) *any other matter relating to the amendment of the Schedule referred to in section 5 of the Amending Act,*

a party to the dispute may refer the dispute to the Labour Relations Board for resolution and the Board's decision is final and binding.

Public Trustee Act

Amends SA 2004 cP-44.1

11(1) The *Public Trustee Act* is amended by this section.

(2) Section 23(1)(a) is amended by striking out “Public Trustee must not act litigation representative” and substituting “Public Trustee must not act as litigation representative”.

Restoring Balance in Alberta’s Workplaces Act, 2020

Amends SA 2020 c28

12(1) The *Restoring Balance in Alberta’s Workplaces Act, 2020* is amended by this section.

(2) Section 1(19)(b)(i) is repealed.

Societies Act

Amends RSA 2000 cS-14

13(1) The *Societies Act* is amended by this section.

(2) Section 9(3) is repealed.

Public Trustee Act

11(1) Amends chapter P-44.1 of the Statutes of Alberta, 2004.

(2) Section 23(1)(a) presently reads:

23(1) If a notice to proceed is delivered to the Public Trustee under section 5.1(3) of the Limitations Act,

(a) the Public Trustee must not act litigation representative of the minor except in accordance with section 5.1(6)(b) of the Limitations Act or in accordance with an order of a judge under section 5.1(7)(b) or (8)(b) of the Limitations Act.

Restoring Balance in Alberta's Workplaces Act, 2020

12(1) Amends chapter 28 of the Statutes of Alberta, 2020.

(2) Section 1(19) presently reads:

(19) Section 74.1 is amended

(b) in subsection (2)

(i) in clause (b) by striking out "the employer and the employees" and substituting "the employer or employers, and the employee or employees,";

Societies Act

13(1) Amends chapter S-14 of the Revised Statutes of Alberta 2000.

(2) Section 9(3) presently reads:

(3) Section 26(2) is amended by adding “and” at the end of clause (b) and by repealing clause (c).

Special Areas Act

Amends RSA 2000 cS-16

14(1) The *Special Areas Act* is amended by this section.

(2) Section 15 is repealed.

(3) The application shall be accompanied with any information respecting the subscribers to the application that may be required by the 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 26(2) presently reads in part:

(2) A society shall each year, on or before the last day of the month immediately following its anniversary month, make a return to the Registrar containing

(b) the full name and street address or postal address of each officer and director of the society,

(c) any information respecting the members of the society 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, and

Special Areas Act

14(1) Amends chapter S-16 of the Revised Statutes of Alberta 2000.

(2) Section 15 presently reads:

15(1) In this section, “remuneration” includes salaries, indemnities, honorariums and allowances.

(2) One third of the remuneration paid in 1999 and later years from The Special Areas Trust Account in accordance with section 7(d) to a member of an advisory committee is deemed to be an allowance for expenses that are incidental to the discharge of the member’s duties.

(3) Subsection (2) does not apply to a member’s remuneration paid in a year if there is in force during all or any part of that year an order of the Minister establishing that a portion other than 1/3 of the member’s remuneration is an allowance for expenses that are incidental to the discharge of the member’s duties.

Traffic Safety Act

Amends RSA 2000 cT-6

15(1) The *Traffic Safety Act* is amended by this section.

(2) Section 1(1)(y) is amended

(a) by repealing subclause (viii);

(b) in subclause (ix) by striking out “(viii)” and substituting “(vii)”.

(3) Section 52(1)(a) is amended by adding “or park” after “operate”.

(4) Section 53(1)(c) is repealed.

(5) Section 154(4) is amended by striking out “Subsection (1)” and substituting “Subsection (1)(a)”.

Traffic Safety Act

15(1) Amends chapter T-6 of the Revised Statutes of Alberta 2000.

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

1(1) In this Act,

(y) “motor vehicle document” means

(viii) a validation tab for a licence plate;

(ix) any other document not referred to in subclauses (i) to (viii) that is prescribed by regulation as a motor vehicle document;

(3) Section 52(1)(a) presently reads:

52(1) Except as otherwise permitted under this Act, a person shall not do any of the following:

(a) operate a motor vehicle or trailer on a highway unless there is a subsisting certificate of registration issued in respect of that vehicle;

(4) Section 53(1)(c) presently reads:

53(1) Except as otherwise permitted under this Act, a person shall not do any of the following:

(c) operate or park a motor vehicle or trailer on a highway with an expired licence plate displayed on it;

(5) Section 154(4) presently reads:

(4) Subsection (1) does not apply where a penalty is otherwise prescribed under this Part or the regulations made in respect of matters coming under this Part.

RECORD OF DEBATE

Stage	Date	Member	From	To
		Questions and Comments	From	To
Stage	Date	Member	From	To
		Questions and Comments	From	To
Stage	Date	Member	From	To
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