

2024 Bill 13

First Session, 31st Legislature, 2 Charles III

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 13

REAL PROPERTY GOVERNANCE ACT

THE MINISTER OF INFRASTRUCTURE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 13

2024

REAL PROPERTY GOVERNANCE ACT

(Assented to , 2024)

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

Definitions

1 In this Act,

- (a) “consolidated entity” means any entity listed as a government organization in the government’s consolidated financial statements;

- (b) “department” means a department established under the *Government Organization Act*;
- (c) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (d) “net book value” means the cost of a tangible capital asset, less both accumulated amortization and the amount of any write downs, in accounting records calculated according to applicable accounting standards;
- (e) “real property” means any land, buildings or structures owned or leased, in whole or in part, by a department or consolidated entity, and includes any interest in land, buildings or structures held by the department or consolidated entity, as the case may be.

Purposes of Act

2 The purposes of this Act are

- (a) to establish and manage a centralized system for collecting and reporting inventory information for all real property in Alberta,
- (b) to develop a consolidated inventory records management system involving departments and consolidated entities,
- (c) to allow input of government asset data in a consistent and comprehensive manner,
- (d) to increase government awareness of a broader portfolio of real property,
- (e) to inform decisions on priority capital investments and generating revenues from disposals of real property,
- (f) to ensure proper assessment of real property and to determine better purposes for retaining or transferring real property to meet the priorities of the Government of Alberta, and
- (g) to facilitate consistent government decision making and effective management with respect to real property.

Application of Act

3 This Act applies to

- (a) every department, and
- (b) every consolidated entity.

Paramourncy

4 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*.

Establishing and maintaining central inventory

5(1) The Minister shall establish and maintain a central inventory for all real property.

(2) For the purpose of subsection (1), the Minister may request a department or consolidated entity to provide inventory information on all the real property of that department or consolidated entity in a format prescribed by the Minister.

Department and consolidated entity to provide inventory information

6(1) If a request is made under section 5(2), a department or consolidated entity must provide inventory information on all the real property of that department or consolidated entity to the Minister.

(2) Every department and consolidated entity must

- (a) maintain inventory information on all the real property of that department or consolidated entity in accordance with the directions of the Minister, and
- (b) keep the inventory information up to date.

Offer to transfer

7(1) Subject to subsection (6), where a department or consolidated entity no longer uses any real property for any specific program, or determines any real property to be surplus, the department or

consolidated entity, prior to any sale, disposition or transfer of the real property to any other person,

- (a) shall notify the Minister about the real property, and
- (b) must offer to transfer the real property to the Department of Infrastructure at net book value according to the terms, conditions and manner specified by the Minister.

(2) If an offer to transfer is made under subsection (1)(b), the Department of Infrastructure shall assess whether the real property should be repurposed or disposed of by the Minister.

(3) After an assessment is made under subsection (2), the Minister shall review the assessment and, if the Minister considers it proper,

- (a) the Minister may take necessary steps for transferring the real property from the relevant department or consolidated entity to the Department of Infrastructure, and
- (b) the relevant department or consolidated entity shall transfer the real property to the Department of Infrastructure in accordance with the terms, conditions and manner specified by the Minister.

(4) If, after reviewing the assessment under subsection (3), the Minister decides not to accept the offer to transfer made under subsection (1)(b), the Minister shall notify the relevant department or consolidated entity that the Department of Infrastructure will not acquire the real property.

(5) A department or consolidated entity shall not offer for sale, sell, dispose of or otherwise transfer to any other person any real property referred to in this section, unless and until

- (a) the Minister is notified under subsection (1)(a), and
- (b) the relevant department or consolidated entity is notified under subsection (4).

(6) This section does not apply to the following real property:

- (a) land used for grazing leases or access to grazing leases under the *Public Lands Act*;

- (b) land donated to government entities under the *Post-secondary Learning Act* with a caveated interest within the meaning of the *Land Titles Act*;
- (c) land provided for affordable accommodation under the *Alberta Housing Act* with respect to single family accommodation with a caveated interest within the meaning of the *Land Titles Act*;
- (d) land designated as a contaminated site under the *Environmental Protection and Enhancement Act*;
- (e) any other land identified by the Minister in the regulations.

Expropriation

8 Nothing in this Act or the regulations and nothing done or omitted to be done in accordance with this Act or the regulations constitutes an expropriation or injurious affection under the *Expropriation Act*, any other enactment or at common law.

Lieutenant Governor in Council regulations

- 9** The Lieutenant Governor in Council may make regulations
- (a) defining any term used but not defined in this Act;
 - (b) remedying any confusion in the application of or difficulty in applying any provisions of this Act.

Ministerial regulations

- 10** The Minister may make regulations
- (a) respecting land identified for the purpose of section 7(6)(e);
 - (b) respecting any other matter that the Minister considers necessary for the administration of this Act.

Transitional provisions

11(1) For the purpose of this section,

- (a) “responsible Minister” means the Minister responsible for the consolidated entity;
- (b) “the Bill” means the Bill to enact the *Real Property Governance Act*.

(2) Effective on the day on which the Bill receives first reading and before the day on which the Bill receives Royal Assent, no consolidated entity shall enter into any agreement to offer for sale, sell, dispose of or otherwise transfer any real property the consolidated entity no longer uses for any specific program, or determines to be surplus, to any person without the prior written approval of the responsible Minister.

(3) Any agreement for sale, the disposal of or otherwise transferring any real property between a consolidated entity and any person entered into before the day the Bill receives first reading continues as if this section were not in force.

Coming into force

12 Sections 1(a) and (e) and 11 are deemed to have come into force on the day the Bill to enact the *Real Property Governance Act* receives first reading.

RECORD OF DEBATE

Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
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