

2025 Bill 3

Second Session, 31st Legislature, 4 Charles III

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 3

PRIVATE VOCATIONAL TRAINING
AMENDMENT ACT, 2025

THE MINISTER OF ADVANCED EDUCATION

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 3

BILL 3

2025

PRIVATE VOCATIONAL TRAINING AMENDMENT ACT, 2025

(Assented to , 2025)

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

Amends RSA 2000 cP-24

1 The *Private Vocational Training Act* is amended by this Act.

2 The following is added before the enacting clause:

Preamble

WHEREAS the Government of Alberta recognizes the important role that private vocational training institutions play in Alberta's adult learning system;

WHEREAS private vocational training institutions are a key driver of workforce development that enables Albertans to acquire the skills, knowledge and competencies needed to succeed in the workforce and to contribute to Alberta's economy;

WHEREAS private vocational training institutions may offer creative, innovative and diverse learning approaches and have the flexibility to respond to the needs of Alberta's employers and labour market;

WHEREAS high-quality private vocational training inspires consumer and employer confidence;

Explanatory Notes

- 1** Amends chapter P-24 of the Revised Statutes of Alberta 2000.
- 2** Adds preamble.

WHEREAS transparency respecting private vocational training, licensing and program standards will allow prospective students to make informed decisions about investments in their education and supports learner pathways to employment and further learning; and

WHEREAS the quality of private vocational training is enhanced when the Government of Alberta encourages private vocational training institutions to be responsive to labour market needs and ensures that licensed programs meet relevant standards;

3 The enacting clause is amended by adding “THEREFORE” before “HER MAJESTY”.

4 The following heading is added before section 1:

Part 1 Interpretation

5 Section 1 is amended

(a) by adding the following before clause (b):

(a.1) “campus” means

- (i) a single premises at which a registrant provides vocational training, or
- (ii) 2 or more premises at which a registrant provides vocational training and that the Director considers, because the premises are close to each other, to be one single campus;

(a.2) “change in control” means a transfer of the shares of a corporation that would be sufficient to allow the person acquiring the shares to make a change to the corporation’s board of directors;

3 The enacting clause presently reads:

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

4 Adds heading.

5 Section 1 presently reads in part:

1 In this Act,

- (c) “Director” means the Director of Private Vocational Training;*
- (e) “instructor” means a person who is authorized by a licensee to provide vocational training;*
- (g) “licensee” means the holder of a licence;*
- (i) “student” means a person who has entered into a student contract;*
- (j) “student contract” means an agreement between a licensee and a student respecting the provision of vocational training;*

(b) in clause (c) by adding “appointed under section 3(1)” after “Training”;

(c) by adding the following after clause (c):

(c.1) “Fund” means the Student Protection Fund established in section 3.3;

(d) by repealing clause (e) and substituting the following:

(e) “instructor” means a person who holds the qualifications prescribed by the regulations and who is authorized by a registrant to provide vocational training;

(e) by repealing clause (g);

(f) by adding the following after clause (h):

(h.1) “record” means a record in any form in which information is contained or stored, including information in any written, graphic, electronic, digital, photographic, audio or other medium, and includes textbooks, lesson plans, student assignments, instructional materials, student contracts, attendance records, testing materials, correspondence with students, financial files, books of account, invoices and receipts;

(h.2) “registrant” means a person registered under section 10.2(2)(a);

(h.3) “registration” means a registration to provide vocational training under section 10.2;

(h.4) “registration certificate” means a registration certificate issued under section 10.2(5);

(g) in clause (i) by adding “with a registrant” after “contract”;

(h) by repealing clauses (j) and (k) and substituting the following:

(j) “student contract” means an agreement made in accordance with the regulations between a registrant and a person respecting the provision of vocational training to that person;

- (k) *“vocation” means an occupation, calling, trade or pursuit that is determined, in accordance with the regulations, to be a vocation;*
- (l) *“vocational training” means a program of instruction in a vocation and includes instruction provided by correspondence.*

- (k) “vocation” means an occupation, calling, trade or pursuit that is a vocation as prescribed in the regulations;
- (i) **in clause (l) by striking out “by correspondence” and substituting “in-person, online or by a combination of in-person and online”.**

6 The following is added after section 1:

Act prevails

1.1 Any waiver or release of a person’s rights, benefits or protections under this Act or the regulations is void.

7 The following is added after section 2:

Guiding principles

2.1 This Act is to be interpreted in accordance with the following principles:

- (a) vocational training should align with Alberta’s labour market needs and provide the skills and knowledge required by employers;
- (b) Albertans should have access to a broad range of specialized vocational training opportunities;
- (c) students should be treated fairly, honestly and ethically and should be protected as consumers;
- (d) vocational training should be delivered in a manner that protects student and public safety.

8 The following heading is added before section 3:

**Part 2
Administration**

6 Act prevails.

7 Guiding principles.

8 Adds heading.

9 The following is added after section 3:

Protection from proceedings and compulsory testimony

3.1(1) In this section,

- (a) “action” means action as defined in the *Alberta Evidence Act*;
- (b) “court” means court as defined in the *Alberta Evidence Act*;
- (c) “exempted person” means each of the following:
 - (i) the Minister;
 - (ii) the Director;
 - (iii) an inspector or other employee appointed in accordance with section 3(1);
 - (iv) a person engaged by the Director under section 3(2);
 - (v) a person authorized by the Director under section 3(3).

(2) No action may be commenced against an exempted person for anything done or omitted to be done in good faith in the performance or intended performance of the exempted person’s powers, duties and functions under this Act.

(3) Subject to subsection (4), an exempted person may not be compelled to give evidence or to produce documents in a court or action about the exempted person’s reasons for reaching a conclusion or making a decision in the exempted person’s exercise of powers or performance of duties and functions under this Act.

(4) An exempted person must

- (a) comply with the requirements of the *Alberta Rules of Court* (AR 124/2020) respecting a Notice to Obtain Record of Proceedings in a judicial review, and
- (b) provide any documents and evidence required by a court for

9 Protection from proceedings and compulsory testimony; student contracts; student protection fund; fees.

- (i) a judicial review, or
- (ii) an appeal of a stop order.

(5) Subsections (2) to (4) do not operate to restrict or abrogate from an immunity or protection that is otherwise provided by law to an exempted person.

Student contracts

3.2 Before providing vocational training to a person, a registrant must enter into a student contract with the person in accordance with the regulations.

Student Protection Fund

3.3(1) The Student Protection Fund is established.

(2) The purpose of the Fund is to ensure that students receive a refund of fees for vocational training in accordance with this Act and the regulations.

(3) The Fund must be held and administered by the Minister in accordance with this Act and the regulations.

(4) Each registrant must pay into the Fund in accordance with the regulations.

(5) Registrants may be charged interest, penalties and other fees for late or missed payments in accordance with the regulations.

(6) Income earned by the Fund accrues to and becomes part of the Fund.

(7) Payments from the Fund may be made for the purpose of the Fund in accordance with the regulations.

(8) The Minister must maintain a separate accounting record of the Fund.

Fees

3.4 The Director may, in accordance with the regulations, if any, charge fees relating to the administration of this Act or the regulations.

10 The following is added before section 11:

Part 3 Registration

Registration required

10.1(1) No person shall provide or offer or purport to provide or offer vocational training unless the person is a registrant and holds a registration certificate.

(2) If the Director determines that a person is providing or offering or purporting to provide or offer vocational training contrary to subsection (1), the Director may apply to the Court for an order

- (a) restraining that person from continuing to provide or offer vocational training,
- (b) requiring that person not to purport to be a registrant while the person is not registered or does not hold a registration certificate, and
- (c) granting any relief that may be required to ensure compliance with this Act or the regulations.

Application and registration

10.2(1) A person who wishes to provide vocational training may apply to the Director, in a form and manner acceptable to the Director, for registration in accordance with this section and the regulations.

(2) The Director may, in accordance with the regulations,

- (a) register or refuse to register a person who applies for registration, and
- (b) impose conditions on a registration under clause (a).

(3) The Director may at any time impose or cancel a condition on a registration.

(4) If an applicant under this section intends to provide vocational training at more than one campus, the Director may

10 Part 3 Registration.

- (a) register the applicant to provide vocational training at multiple campuses, or
- (b) require the applicant to apply for registration for each campus separately.

(5) The Director must issue

- (a) a registration certificate to each person the Director registers under subsection (2)(a), and
- (b) a replacement registration certificate to the registrant each time the Director
 - (i) imposes or cancels a condition on the registrant's registration under subsection (3), or
 - (ii) imposes or cancels a condition when reinstating a registration under section 17.01.

(6) Each registrant must comply with the conditions stated on the most recent registration certificate issued to the registrant.

Registration certificate

10.3(1) Each registration certificate must state

- (a) the conditions on the registration, if any, and
- (b) any information required by the regulations.

(2) Each registrant must post a copy of the registration certificate in accordance with the regulations.

(3) A person must not knowingly

- (a) cover or deface a posted registration certificate, or
- (b) without the written permission of the Director, remove a posted registration certificate.

Registration not transferrable

10.4(1) A registration is not transferrable.

(2) Unless the Director's approval is received prior to a change in control of a corporate registrant, the registrant's registration is suspended.

(3) If a registration is suspended under subsection (2), during the suspension the registrant may not provide or offer to provide vocational training.

Recruiters

10.5(1) In this section,

- (a) "recruitment" means any of the following:
 - (i) marketing, promoting or advertising a registrant or the registrant's programs of instruction to the public;
 - (ii) recruiting or soliciting individuals to enrol as students in a registrant's programs of instruction;
 - (iii) facilitating or administering the enrolment of individuals as students;
- (b) "third-party recruiter" means a person, other than a registrant or an employee of a registrant, that is engaged in recruitment for or on behalf of a registrant, including a person who receives compensation from a registrant in relation to recruitment.

(2) A registrant that hires or retains a third-party recruiter for one or more of the registrant's programs of instruction must comply with the requirements in the regulations.

Publication of information

10.6 The Director may publish or require a registrant to publish information about the registrant in accordance with the regulations.

11 Section 11 is repealed and the following is substituted:

11 Section 11 presently reads:

11 No person shall provide vocational training to students unless the person is a licensee or is an instructor.

Part 4 Licence

Licence required

11(1) No person shall provide or offer or purport to provide or offer vocational training unless the person is a registrant and holds a licence for the vocational training program being provided or offered.

(2) If the Director determines that a person is providing or offering or purporting to provide or offer a vocational training program contrary to subsection (1), the Director may apply to the Court for an order

- (a) restraining the person from continuing to provide or offer vocational training,
- (b) requiring that person not to purport to hold a licence while the person does not hold a licence, and
- (c) granting any relief that may be required to ensure compliance with this Act or the regulations.

12 Section 12 is amended

- (a) **in subsection (1) by striking out “person” and substituting “registrant”;**
- (b) **in subsection (2) by striking out “the applicant” and substituting “an applicant under subsection (1)”;**
- (c) **in subsection (3) by striking out “licensee” and substituting “registrant”;**
- (d) **in subsection (4) by striking out “cancel a condition or add a condition restricting the number of students that may be enrolled in a program of instruction” and substituting “impose or cancel a condition on the licence”;**
- (e) **by adding the following after subsection (4):**

(4.1) The Director must issue a replacement licence to the registrant each time the Director

12 Section 12 presently reads:

12(1) A person who wishes to provide vocational training to students shall apply to the Director, in the form prescribed by the Director, for a licence.

(2) The Director may, in accordance with the regulations, issue or refuse to issue a licence in respect of one or more programs of instruction that the applicant wishes to provide.

(3) A licence authorizes the licensee to provide only the programs of instruction that are stated on the licence.

(4) The Director may issue a licence with or without conditions and may, at any time, cancel a condition or add a condition restricting the number of students that may be enrolled in a program of instruction.

(5) A licensee must comply with the conditions stated on the licence.

- (a) imposes or cancels a condition on a registrant's licence under subsection (4),
 - (b) cancels a licence under section 17(1) insofar as it relates to one or more, but not all, of the programs of instruction stated on the licence, or
 - (c) imposes or cancels a condition when reinstating a licence under section 17.01.
- (f) by repealing subsection (5) and substituting the following:**
- (5)** A registrant must comply with the conditions stated on the most recent licence issued to the registrant.

13 Section 13 is repealed and the following is substituted:

Licence to provide vocational training

13(1) Each licence must state

- (a) the conditions on the licence, if any, and
 - (b) any information required by the regulations.
- (2)** Each registrant must post a copy of the licence in accordance with the regulations.
- (3)** A person must not knowingly
- (a) cover or deface a posted licence, or
 - (b) without the written permission of the Director, remove a posted licence.

Licence not transferrable

13.1(1) A licence is not transferrable.

- (2)** Unless the Director's approval is received prior to a change in control of a corporate registrant, each of the registrant's licences are suspended.

13 Section 13 presently reads:

13(1) A licence shall state

- (b) the name of the licensee,*
- (c) the programs of instruction that the licensee is authorized by the licence to provide,*
- (d) the premises at which each program of instruction will be provided, or if a program of instruction will not be provided at premises, the business address of the licensee, and*
- (f) the conditions to which the licence is subject, if any.*

(2) A licensee shall post a copy of the licence in a prominent place at the premises at which each program of instruction authorized by the licence is provided.

(3) No person shall

- (a) cover up, mutilate or deface a licence, or*
- (b) without the written permission of the Director, remove a licence,*

posted under subsection (2).

(3) If a licence is suspended under subsection (2), during the suspension the registrant may not provide or offer to provide the programs of instruction authorized by the licence.

14 The following heading is added before section 15:

Part 5 Enforcement

15 Section 15 is amended

(a) **by repealing subsection (1);**

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

(2) For the purpose of determining whether this Act, the regulations, a student contract, a condition on a registration or licence or an order issued under section 16 or 20 are being complied with, an inspector may do one or more of the following:

- (a) enter a campus or a place other than a private dwelling at which a registrant keeps records relating to a program of instruction;
- (b) require the production of records, examine them and make copies of them;
- (c) temporarily remove a record for the purpose of making copies of it;
- (d) remove and retain a record where the inspector is of the opinion that removal and retention of the record is necessary to preserve or protect it;
- (e) perform tests, take photographs, make recordings and observe instructors;
- (f) question any person.

14 Adds heading.

15 Section 15 presently reads in part:

15(1) In this section, "records" means textbooks, lesson plans, equipment, student assignments, instructional materials, student contracts, attendance records, financial files and books of account.

(2) An inspector may, on reasonable notice, at any reasonable time and for the purpose of determining whether this Act, the regulations, a licence or a student contract is being complied with,

- (a) enter any premises at which vocational training is provided or any premises at which a licensee keeps records relating to a program of instruction, other than a private dwelling,*
- (b) require the production of any records and examine them, make copies of them or remove them temporarily for the purpose of making copies, and*
- (c) perform tests, take photographs, make recordings and observe instructors.*

(3) An inspector who removes any records under subsection (2) shall

- (b) make copies of the records and return them to the person from whom they were taken within a reasonable time after removing them.*

(4) If a person refuses to allow an inspector to exercise any powers under this section or interferes or attempts to interfere with the inspector in the exercise of those powers, the Director may apply to the Court for an order restraining that person from preventing or interfering in any manner with the inspector in the exercise of those powers.

(2.1) During a registrant's normal business hours, the registrant must provide access to an inspector to allow the inspector to do anything permitted under subsection (2).

(c) in subsection (3)(b) by adding "subject to subsection (2)(d)," **before** "make";

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

(4) If a person refuses to allow an inspector to exercise any powers under this section or interferes or attempts to interfere with the inspector in the exercise of those powers, the Director may apply to the Court for one or both of the following:

- (a)** an order restraining that person from preventing or interfering in any manner with the inspector in the exercise of those powers;
- (b)** an order directing that person to produce records in accordance with subsection (2)(b).

16 Section 16 is amended

(a) in subsection (1)

(i) by striking out "a licence" **and substituting** "a condition on a registration or licence";

(ii) by striking out "licensee" **and substituting** "registrant";

(b) in subsection (2) by striking out "licensee" **wherever it occurs and substituting** "registrant".

17 Section 17 is amended

(a) in subsection (1)

16 Section 16 presently reads:

16(1) If the Director has reason to believe that this Act, the regulations, a licence or a student contract is not being complied with, the Director may in writing order a refund of fees for vocational training or order a licensee to take the measures specified in the order within the time specified in the order.

(2) If the Director has reason to believe that the financial position of a licensee may be inadequate, the Director may in writing order the licensee to make and furnish to the Director full and correct statements showing the financial position of the licensee and may require the statements to be made on oath or verified by statutory declaration.

17 Section 17 presently reads in part:

17(1) If the Director is of the opinion that

- (i) **in clause (c) by striking out “licensee” and substituting “registrant”;**
 - (ii) **by repealing clause (d) and substituting the following:**
 - (d) this Act, the regulations, a student contract, a condition on a registration or licence or an order made under section 16 or 20 is not being complied with,
 - (iii) **by striking out “to the licensee, cancel or suspend the licence” and substituting “to the registrant, suspend or cancel the registrant’s registration or licence”;**
- (b) by adding the following after subsection (1):**
- (1.1)** If a registration is suspended or cancelled under subsection (1),
- (a) in the case of a suspension, during the suspension the registrant may not provide or offer to provide vocational training, or
 - (b) in the case of a cancellation,
 - (i) the registration is of no further force and effect and cannot be reinstated,
 - (ii) the former registrant may not provide or offer to provide vocational training, and
 - (iii) the former registrant must remove all registration certificates posted under section 10.3(2) and all licences posted under section 13(2).
- (1.2)** If a licence is suspended or cancelled under subsection (1),
- (a) in the case of a suspension, insofar as it relates to one or more programs of instruction, during the suspension the registrant may provide or offer to provide only the programs of instruction that are not suspended, if any, or
 - (b) in the case of a cancellation,

- (c) the financial resources of a licensee are inadequate for the continued effective provision of a program of instruction, or*
- (d) this Act, the regulations, a licence, a student contract, an order made under section 16 or a stop order made under section 20 is not being complied with,*

the Director may, on 30 days' notice in writing to the licensee, cancel or suspend the licence insofar as it relates to one or more programs of instruction.

(2) On receiving a notice under subsection (1), the licensee shall forthwith provide to the Director a list of the names and addresses of the students registered in a program of instruction affected by the notice

(4) No person shall

- (a) cover up, mutilate or deface a notice posted under subsection (3)(a), or*

- (i) the licence, insofar as it relates to the cancelled programs of instruction, is of no further force and effect and cannot be reinstated,
 - (ii) the registrant may provide or offer to provide only the programs of instruction that have not been cancelled, if any, and
 - (iii) the registrant must post a replacement licence issued by the Director, if any.
- (c) **in subsection (2) by striking out “licensee” and substituting “registrant”;**
- (d) **in subsection (4)(a)**
- (i) **by striking out “No person shall” and substituting “A person must not knowingly”;**
 - (ii) **by striking out “up, mutilate”.**

18 The following is added after section 17:

Reinstating registration or licence

17.01 The Director may reinstate, with or without conditions, a registration or licence suspended under section 10.4(2), 13.1(2) or 17(1), as the case may be, if the Director is of the opinion that

- (a) the registrant has complied with any orders made by the Director in respect of the registration or licence,
- (b) the registrant has complied or will comply with this Act, the regulations, student contracts and any existing conditions on the registration or licence,
- (c) it is in the interest of students enrolled in the registrant’s programs of instruction to reinstate the registration or licence, and
- (d) it is in the public interest to reinstate the registration or licence.

19 Section 17.1 is amended

18 Reinstating registration or licence.

19 Section 17.1 presently reads:

- (a) in subsections (1) and (2) by striking out “licensee” wherever it occurs and substituting “registrant”;**
- (b) in subsection (3)**
 - (i) by striking out “licensee has fulfilled the licensee’s” and substituting “registrant has fulfilled the registrant’s”;**
 - (ii) by striking out “to the licensee” and substituting “to the registrant”.**

20 Section 20 is amended

- (a) in subsection (1)**
 - (i) by striking out “licensee” and substituting “registrant”;**
 - (ii) in clause (a) by striking out “a licence” and substituting “a condition on a registration or licence”;**
 - (iii) in clause (b) by striking out “licensee” and substituting “registrant”;**
- (b) in subsection (5) by striking out “2 days” and substituting “10 days”;**
- (c) in subsection (6) by repealing clauses (a) to (c) and substituting the following:**
 - (a) determine whether it was reasonable for the Director to issue the stop order,
 - (b) only consider the following evidence:
 - (i) the stop order and its terms;
 - (ii) the reasons given for issuing the stop order, if any;
 - (iii) the records and evidence the Director considered before issuing the stop order, including any records

17.1(1) A licensee may request cancellation of a licence insofar as it relates to one or more programs of instruction by submitting a written request to the Director.

(2) If a licensee requests that a licence be cancelled in respect of a program of instruction, the licensee shall provide to the Director a list of the names and addresses of the students registered in that program of instruction.

(3) If the Director is satisfied that the licensee has fulfilled the licensee's obligations under the student contracts with the students registered in a program of instruction, the Director may, on notice in writing to the licensee, cancel the licence insofar as it relates to that program of instruction.

20 Section 20 presently reads in part:

20(1) The Director may issue a stop order directing a licensee to cease the activity specified in the stop order within the time specified in the stop order if the Director has reason to believe that

- (a) this Act, the regulations, a licence, a student contract or an order made under section 16 is not being complied with, or*
- (b) the financial resources of the licensee are inadequate for the continued effective provision of a program of instruction.*

(5) The Court may hear an application made under this section not less than 2 days after the application has been served on the Director.

(6) On an appeal under subsection (4), the Court shall

- (a) inquire into all matters leading to the making of the stop order,*
- (b) determine whether, in its opinion, there were sufficient grounds for the making of the stop order, and*
- (c) confirm, amend or revoke the stop order.*

or evidence the person subject to the stop order
provided to the Director, if any,

and

(c) confirm, amend or set aside the stop order.

21 Section 20.1 is repealed.

22 Section 21 is amended

- (a) by striking out “served” and substituting “delivered”;**
- (b) in clause (a) by striking out “service on” and substituting “delivery to”;**
- (c) in clause (b) by adding “or delivery” after “mail” wherever it occurs;**
- (d) by adding the following after clause (b):**
 - (b.1) by electronic means to the email address or addresses a person provided to the Director for that purpose,

23 Section 22 is amended by striking out “a licence” and substituting “a condition on a registration or licence”.

24 Section 23 is repealed and the following is substituted:

21 Section 20.1 presently reads:

20.1 The operation of a 15-day limitation period referred to in section 20(4) for appealing the making of a stop order is suspended during the period beginning on March 17, 2020 and ending on the day on which Order in Council numbered O.C. 80/2020 declaring a state of public health emergency lapses or terminates and resumes on the following day.

22 Section 21 presently reads in part:

21 An order, stop order or notice made or given under this Act may be served

- (a) by personal service on the person to whom it is made,*
- (b) by any form of mail for which the addressee or a person on behalf of the addressee is required to acknowledge receipt of the mail by providing a signature,*

23 Section 22 presently reads:

22 A person who contravenes this Act, the regulations, a licence or a stop order is guilty of an offence and liable to a fine of not more than \$2000, and in the case of a continuing offence, to a further fine of not more than \$500 for each day or part of a day during which the offence continues after the first day.

24 Section 23 presently reads:

Enforcement by the Court

23(1) The Director may apply to the Court for an order requiring a person to comply with an order made under section 16 or 20.

(2) The Director may make an application under subsection (1)

- (a) whether or not another remedy is provided under this Act or the regulations, and
- (b) whether or not the person has been prosecuted under this Act or the regulations.

(3) The Court may grant an order under subsection (1) if the Court is satisfied that the person has not complied or is likely not to comply with the order made under section 16 or 20.

Interim injunctions

23.1(1) On application by the Director, the Court may, if it considers it necessary in the circumstances, issue an interim injunction granting the relief that the Court considers appropriate pending the determination of an application made under section 10.1(2), 11(2), 15(4) or 23(1).

(2) In considering the interim injunction, the Court

- (a) must give greater weight to compliance with this Act than to the continued provision of vocational training by a registrant,
- (b) must presume that the balance of convenience favours the enforcement of this Act,
- (c) must not require the Director to post a bond or give an undertaking as to damages, and
- (d) must not require the Director to establish that irreparable harm will be done if the interim injunction is not issued.

(3) The application for an interim injunction may be made ex parte if the Court considers it appropriate in the circumstances.

Judicial review

23.2(1) A person may apply for judicial review in respect of the following decisions of the Director:

23 If a person does not comply with a stop order, the Director may, whether or not that person has been prosecuted under this Act, apply to the Court for an order of the Court directing that person to comply with the stop order.

- (a) a refusal to register a person under section 10.2(2);
- (b) a condition imposed on a registration under section 10.2(2) or (3);
- (c) a refusal to issue a licence under section 12(2);
- (d) a condition imposed on a licence under section 12(4);
- (e) an order made under section 16;
- (f) the cancellation or suspension of a registration or licence under section 17;
- (g) a decision not to reinstate a registration or licence or a condition added to a registration or licence under section 17.01.

(2) Where a decision of the Director is the subject of an application for judicial review, the application must be filed with the Court and served not more than 90 days after the date of the decision.

Part 6 Directives, Guidelines, Standards and Regulations

Director's directives and guidelines

23.3(1) The Director may issue directives and guidelines respecting the interpretation or application of this Act or the regulations.

(2) The Director must make the directives and guidelines publicly available in a manner the Director considers appropriate.

(3) The *Regulations Act* does not apply to directives and guidelines issued under this section.

Standard nomenclature and program standards

23.4 The Director may set standard nomenclature for credentials and standards for programs of instruction in accordance with the regulations.

25 Section 24 is amended

(a) in clause (a) by striking out “criteria to be used to determine if” and substituting “whether”;

(b) by adding the following after clause (a):

- (a.1) respecting student contracts;
- (a.2) respecting the Fund, including
 - (i) the holding and administration of the Fund,
 - (ii) payment into and from the Fund, and
 - (iii) the charging of interest, penalties and other fees for late or missed payments into the Fund;
- (a.3) respecting the registration of persons under this Act, including
 - (i) applications for registration including restrictions on the number of persons that may be registered,
 - (ii) the criteria that a person must meet before the Director may register the person,
 - (iii) conditions that may be imposed on a registration, and
 - (iv) requirements to maintain a registration in good standing;
- (a.4) respecting the content and posting of registration certificates;

(c) by repealing clause (b) and substituting the following:

- (b) respecting the licensing of persons under this Act, including
 - (i) applications for a licence including restrictions on the number of licences that may be issued,
 - (ii) the criteria that a person must meet before the Director may issue a licence to a person,

25 Section 24 presently reads in part:

24 The Lieutenant Governor in Council may make regulations

- (a) prescribing criteria to be used to determine if an occupation, calling, trade or pursuit is a vocation;*
- (b) respecting the licensing of persons under this Act, describing the criteria that must be met to enable the Director to issue a licence and prescribing restrictions on the number of licences that may be issued;*
- (j) respecting the security to be given by licensees and the forfeiture of the security;*
- (k) respecting the records that must be kept by licensees;*
- (l) respecting the returns that must be filed with the Director by licensees;*
- (m) respecting advertising by licensees and the consequences of false or misleading advertising;*
- (n) respecting the mediation of disputes between licensees and students;*

- (iii) conditions that may be imposed on a licence, and
- (iv) requirements to maintain a licence in good standing;
- (b.1) respecting the content and posting of licences;
- (b.2) respecting third-party recruiters and recruitment referred to in section 10.5;
- (d) in clauses (j) and (k) by striking out “licensees” and substituting “registrants”;**
- (e) by repealing clause (l) and substituting the following:**
 - (l) respecting the reports that must be filed with the Director by registrants;
- (f) in clauses (m) and (n) by striking out “licensees” and substituting “registrants”;**
- (g) by adding the following after clause (n):**
 - (n.1) respecting the publication of information about registrants;
 - (n.2) respecting the publication of information by registrants;
- (h) by adding the following after clause (o):**
 - (p) respecting fees relating to the administration of this Act and the regulations;
 - (q) respecting standard nomenclature for credentials and the required quality and standards for programs of instruction;
 - (r) respecting any other matter the Lieutenant Governor in Council considers necessary or advisable to carry out purposes of this Act.

26 The following is added after section 24:

26 Part 7 Transitional.

Part 7

Transitional

Transitional

25 A person who was a licensee under this Act immediately before the coming into force of this section is deemed to

- (a) be registered under this Act without conditions,
- (b) hold a registration certificate without conditions and to have posted the registration certificate as required in section 10.3(2) until the Director issues the person a registration certificate, and
- (c) hold each licence with the same conditions on the licence that the person held immediately before the coming into force of this section.

Amends SA 2021 cS-7.88

27(1) The *Skilled Trades and Apprenticeship Education Act* is amended by this section.

(2) Section 1(o) is amended by striking out “the holder of a licence issued under” and substituting “a registrant as defined in”.

28 This Act comes into force on Proclamation.

27(1) Amends chapter S-7.88 of the Statutes of Alberta, 2021.

(2) Section 1(o) presently reads:

1 In this Act,

(o) “post-secondary institution” means a public post-secondary institution as defined in the Post-secondary Learning Act or the holder of a licence issued under the Private Vocational Training Act;

28 Coming into force.

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
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		Interventions	From	To