

2026 Bill 31

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Second Session, 31st Legislature, 4 Charles III

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 31**

## **RED TAPE REDUCTION STATUTES AMENDMENT ACT, 2026**

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THE MINISTER OF SERVICE ALBERTA AND RED TAPE REDUCTION

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 31

2026

### RED TAPE REDUCTION STATUTES AMENDMENT ACT, 2026

(Assented to \_\_\_\_\_, 2026)

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

#### Alberta Land Stewardship Act

##### Amends SA 2009 cA-26.8

**1(1) The *Alberta Land Stewardship Act* is amended by this section.**

**NOTE:** 1(1) Amends chapter A-26.8 of the Statutes of Alberta, 2009.

##### **(2) Section 2(1) is amended**

**(a) by repealing clauses (g) and (h) and substituting the following:**

- (g) “Designated Minister” means, as the case requires,
  - (i) a Minister designated as responsible for a provision of this Act under section 16 of the *Government Organization Act*, or
  - (ii) a Minister named in
    - (A) a regional plan, or

(B) a subregional plan or issue-specific plan made under section 10.1

as the Minister responsible for an element or provision of the regional plan, subregional plan or issue-specific plan, as the case may be, or any component of that plan;

(h) “effect” includes

(i) any effect, regardless of the scale, nature, intensity, duration, frequency, probability or potential of the effect, on the economy, the environment, a community, human health or safety, a species or an objective in

(A) a regional plan, or

(B) a subregional plan or issue-specific plan made under section 10.1,

and

(ii) a cumulative effect that arises over time or in combination with other effects;

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

(iii) a plan adopted or incorporated as part of a regional plan under section 10.1(9)(b), as amended from time to time;

**(c) by repealing clause (ff) and substituting the following:**

(ff) “threshold” has the meaning given to it in

(i) a regional plan, or

(ii) a subregional plan or issue-specific plan made under section 10.1,

and in either case may include a limit, target, trigger, range, measure, index or unit of measurement;

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

*2(1) In this Act,*

*(g) “Designated Minister” means, as the case requires,*

- (i) *a Minister designated as responsible for a provision of this Act under section 16 of the Government Organization Act, or*
- (ii) *a Minister named in a regional plan as the Minister responsible for an element or provision of a regional plan or any component of a regional plan,*

*and may include the Stewardship Minister if the Stewardship Minister is named as the Designated Minister;*

- (h) *“effect” includes*
  - (i) *any effect on the economy, the environment, a community, human health or safety, a species or an objective in a regional plan, regardless of the scale, nature, intensity, duration, frequency, probability or potential of the effect, and*
  - (ii) *a cumulative effect that arises over time or in combination with other effects;*
- (v) *“regional plan” means*
  - (i) *a regional plan made under section 4, as amended from time to time;*
  - (ii) *anything made, approved, adopted or incorporated as part of a regional plan under section 10, as amended from time to time;*
- (ff) *“threshold” has the meaning given to it in a regional plan and may include a limit, target, trigger, range, measure, index or unit of measurement;*

**(3) The following is added after section 2:**

**Application of regional plan provisions to standalone plans**

**2.1(1)** For the purposes of this Act, a reference to “regional plan” in the following provisions is to be read as including a reference to a subregional plan or issue-specific plan made under section 10.1:

- (a) sections 4(2) to (4), 5 and 6;
  - (b) sections 7, 8 and 11;
  - (c) sections 13 to 18, 19(c) and 19.2 to 21;
  - (d) sections 51 and 57 to 65;
  - (e) section 66(e).
- (2) Subsection (1) does not apply to section 8(2)(i).

**NOTE:** (3) Application of regional plan provisions to standalone plans.

**(4) The following is added after section 6:**

**Review, evaluation and audit of standalone plans**

**6.1(1)** A subregional plan or issue-specific plan made under section 10.1 is subject to review in accordance with section 6 and evaluation and audit in accordance with section 58(d).

(2) If a plan referred to in subsection (1) is subsequently approved or adopted by or incorporated in a regional plan, the timing for a review under section 6 or an evaluation or audit under section 58(d) of the regional plan prevails over any timeline previously established for the plan under subsection (1).

**NOTE:** (4) Review, evaluation and audit of standalone plans.

**(5) The following is added after section 9:**

**Implementing standalone subregional plans and issue-specific plans**

**9.1(1)** For the purposes of this section and section 10.1, “Crown land” means land of the Crown in right of Alberta and includes everything in, on or under that land, including natural resources.

(2) A subregional plan or issue-specific plan made under section 10.1 may contain provisions that the Lieutenant Governor in

Council considers necessary or appropriate to advance or implement the purposes of this Act in relation to Crown land.

(3) Without limiting subsection (2), a plan referred to in subsection (2) may

- (a) include or adopt statements of provincial policy for one, all or some planning regions to inform, guide or direct,
- (b) adopt, as part of the plan, regulations made under Part 4 for the purpose of achieving or maintaining an objective or policy in the plan,
- (c) make, as part of the plan, law on any matter relating to Crown land or the application of legislation to Crown land that is designed to advance or implement the purposes of this Act,
- (d) make, as part of the plan, law that may be made as a regulation under this Act or under any other Act, and make, amend or repeal regulations under any other Act whether
  - (i) the other Act is enacted before or after this Act comes into force, or
  - (ii) the authority to make regulations under the other Act is given to the Lieutenant Governor in Council, a Minister, a board or agency, or any combination of those persons,
- (e) manage whatever is necessary to achieve or maintain an objective or policy in relation to Crown land, including managing all or part of the cause of an effect or those matters that affect or that might affect the economy, social objectives, environment, human health or safety, a species or any element of any of them,
- (f) manage the surface or subsurface of Crown land,
- (g) designate persons or existing entities, or establish a corporation or other entity, to perform any function under the plan,
- (h) establish conflict resolution processes for any dispute, conflict or matter requiring resolution under the plan,

including mediation, facilitation, conciliation, regulatory negotiation or arbitration under the *Arbitration Act*,

- (i) authorize a Designated Minister to make an agreement or arrangement for the purpose of achieving or maintaining an objective or policy in the plan,
  - (j) provide for transitional or bridging arrangements,
  - (k) specify or describe which local government bodies or decision-making bodies, if any, must file a compliance declaration under Part 2, Division 3 after an amendment is made to the plan or after an agreement or arrangement is adopted or incorporated as part of the plan,
  - (l) include any other matter that this Act or the regulations under this Act permit or authorize to be included in a plan made under section 10.1, to the extent that the matter relates to Crown land, or
  - (m) define, for the purposes of the plan, any term in this Act in a manner that is not inconsistent with this Act.
- (4) A plan referred to in subsection (2) may
- (a) specify those provisions of the plan the contravention of or non-compliance with which constitutes an offence or makes the person who contravenes or does not comply liable to an order, directive or administrative or other penalty under another enactment,
  - (b) specify the fine, penalty or other enforcement mechanism in another enactment that applies to the contravention of or non-compliance with the plan,
  - (c) name or describe an official or other person having authority under another enactment to enforce a contravention of or non-compliance with the plan under that other enactment, or
  - (d) provide that any appeal or review provisions under another enactment apply with respect to decisions made to enforce compliance with the plan.

(5) Nothing in this section permits a subregional plan or issue-specific plan made under section 10.1 to

- (a) declare a conservation directive, grant a conservation easement or establish a TDC scheme under Part 3, or
- (b) authorize expropriation by the Crown under the *Expropriation Act*, including expropriation of mines and minerals.

**NOTE:** (5) Implementing standalone subregional plans and issue-specific plans.

**(6) Section 10 is amended**

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

- (b) make or amend rules, a code of practice, guidelines, best practices or any other instrument on matters described in the regional plan for the purpose of advancing or implementing an objective or policy in the regional plan;
- (b.1) authorize a Designated Minister to make or amend by order, or to adopt by incorporation or reference, an instrument referred to in clause (b) for the purpose of advancing or implementing an objective or policy in the regional plan;

**(b) by repealing subsection (3) and substituting the following:**

**(3)** When a subregional plan or an issue-specific plan authorized under subsection (1) comes into effect, and when a Designated Minister makes, amends or adopts rules, a code of practice, guidelines, best practices or any other instrument authorized by a regional plan, the subregional plan, issue-specific plan or rules, code of practice, guidelines, best practices or other instrument, as the case may be, becomes part of the regional plan under which it or they were authorized.

**(4)** When a Designated Minister amends, replaces or repeals an instrument made or adopted under subsection (1)(b.1), the amendment, replacement or repeal is deemed not to be an

amendment to the regional plan for the purposes of sections 4, 5, 13, 19.1 and 22.

(5) A Designated Minister must not amend, replace or repeal an instrument made or adopted under subsection (1)(b.1) unless the Designated Minister has

- (a) ensured that appropriate public consultation with respect to the amendment, replacement or repeal has been carried out,
- (b) complied with section 11, if a statutory consent may be affected by the amendment, replacement or repeal, and
- (c) filed with the secretariat the instrument as amended or replaced, or a notice of the repeal, as the case may be.

(6) An amendment, replacement or repeal of an instrument referred to in subsection (4) does not take effect until the Designated Minister has published on a public website of the Government of Alberta the instrument as amended or replaced, or notice of the repeal, as the case may be.

(7) For greater certainty, sections 15.1 and 19.2 apply to the instrument as amended or replaced when the Designated Minister files the instrument with the secretariat under subsection (5)(c).

**NOTE:** (6) Section 10 presently reads in part:

*10(1) A regional plan may*

*(b) make or authorize a Designated Minister to make, or authorize a Designated Minister to adopt by incorporation or reference, rules, a code of practice, guidelines, best practices or any other instrument on matters described in the regional plan for the purpose of advancing or implementing an objective or policy in the regional plan;*

*(3) When a subregional plan or an issue-specific plan comes into effect, and when a Designated Minister makes or adopts rules, a code of practice, guidelines, best practices or any other instrument authorized by a regional plan, the subregional plan, issue-specific plan or rules, code of practice, guidelines, best practices or other instrument, as the case may be, becomes part of the regional plan that authorized it or them.*

**(7) The following is added after section 10:**

**Standalone subregional plans and issue-specific plans**

**10.1(1)** Subject to section 5, where one or more planning regions, or areas within one or more planning regions, are not subject to an applicable regional plan made under section 4, the Lieutenant Governor in Council may make or amend the following that apply to that planning region or area within a planning region:

- (a) a standalone subregional plan;
  - (b) a standalone issue-specific plan.
- (2)** A plan made under subsection (1)
- (a) applies only in respect of Crown land,
  - (b) does not authorize the use of a conservation directive, conservation easement or transfer of development credits under Part 3, and
  - (c) applies within one or more planning regions, or areas within one or more planning regions, established under section 3.
- (3)** A plan made under subsection (1) may
- (a) include provisions for the implementation of the plan in accordance with section 9.1,
  - (b) make, as part of the plan, a plan made under the *Public Lands Act*, whether made before or after this Act comes into force, with or without modifications,
  - (c) adopt or incorporate, as part of the plan, a plan made under an enactment, or an agreement or arrangement, whether made before or after this Act comes into force, with or without modification, and
  - (d) authorize a Designated Minister to make or amend by order, or to adopt by incorporation or reference, rules, a code of practice, guidelines, best practices or any other instrument on matters described in the plan for the purpose

of advancing or implementing an objective or policy in the plan.

- (4)** When a Designated Minister makes, amends or adopts an instrument authorized under subsection (3)(d), the instrument becomes part of the plan that authorized it.
- (5)** When a Designated Minister amends, replaces or repeals an instrument made or adopted under subsection (3)(d), the amendment, replacement or repeal is deemed not to be an amendment to the plan for the purposes of subsection (1) and sections 4(2) to (4), 5, 13 and 22.
- (6)** A Designated Minister must not amend, replace or repeal an instrument made or adopted under subsection (3)(d) unless the Designated Minister has
- (a) ensured that appropriate public consultation with respect to the amendment, replacement or repeal has been carried out,
  - (b) complied with section 11, if a statutory consent may be affected by the amendment, replacement or repeal, and
  - (c) filed with the secretariat the instrument as amended or replaced, or a notice of the repeal, as the case may be.
- (7)** An amendment, replacement or repeal of an instrument referred to in subsection (5) does not take effect until the Designated Minister has published on a public website of the Government of Alberta the instrument as amended or replaced, or notice of the repeal, as the case may be.
- (8)** For greater certainty, sections 15.1 and 19.2 apply to the instrument as amended or replaced when the Designated Minister files the instrument with the secretariat under subsection (6)(c).
- (9)** If a regional plan comes into force that applies to all or part of the same area, or to the same subject-matter, as a plan made under subsection (1),
- (a) the regional plan prevails to the extent of any inconsistency,
  - (b) the regional plan may adopt or incorporate, with or without modification, the plan made under subsection (1) as a

subregional plan or issue-specific plan of the regional plan,  
and

- (c) the Lieutenant Governor in Council may make regulations respecting the transition, amendment or repeal of the plan made under subsection (1).

**(10)** A plan adopted or incorporated as part of a regional plan under subsection (9)(b) becomes part of the regional plan.

**(11)** A plan made under subsection (1) is subject to the application of this Act as provided in section 2.1.

**NOTE:** (7) Standalone subregional plans and issue-specific plans.

**(8) Section 22 is repealed and the following is substituted:**

**Amendments, subregional plans and issue-specific plans**

**22(1)** This section applies when

- (a) a subregional plan or issue-specific plan is approved or adopted by or is incorporated in a regional plan as part of the regional plan,
- (b) a subregional plan or issue-specific plan made under section 10.1 is amended,
- (c) an agreement or arrangement is adopted by or incorporated in
  - (i) a regional plan as part of the regional plan, or
  - (ii) a subregional plan or issue-specific plan as part of the plan,

or

- (d) a regional plan is amended.

**(2)** A local government body or decision-making body affected by a change to a regional plan referred to in subsection (1) or a subregional plan or issue-specific plan made under section 10.1

must, if so directed by or under the plan, file with the secretariat a statutory declaration described in section 20(2) or 21(2), as the case may be, with respect to a matter described in subsection (1).

**NOTE:** (8) Section 22 presently reads:

*22(1) This section applies when*

- (a) a subregional plan or an issue-specific plan is approved or adopted by or is incorporated in a regional plan as part of the regional plan,*
- (b) an agreement or arrangement is adopted by or is incorporated in a regional plan as part of the regional plan, or*
- (c) a regional plan is amended.*

*(2) A local government body or decision-making body affected by a change to a regional plan described in subsection (1) must, if so directed by or under the regional plan, file with the secretariat a declaration described in section 20(2) or 21(2), as the case requires, with respect to a matter described in subsection (1).*

**(9) This section comes into force on Proclamation.**

**NOTE:** (9) Coming into force.

## **Condominium Property Act**

**Amends RSA 2000 cC-22**

**2(1) The *Condominium Property Act* is amended by this section.**

**NOTE:** 2(1) Amends chapter C-22 of the Revised Statutes of Alberta 2000.

**(2) The following is added after section 28.2:**

**Education requirements for board members**

**28.3(1)** The Director may establish education requirements for members of boards.

(2) Members of boards must comply with education requirements established under subsection (1).

(3) Each board is responsible for ensuring its members comply with education requirements established under subsection (1).

**NOTE:** (2) Education requirements for board members.

**(3) Section 68.5 is amended**

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

**(i) by repealing clause (b)(iii) and substituting the following:**

(iii) the fees required to be paid to the Tribunal by the parties to a dispute in accordance with the regulations,

**(ii) in clause (c) by adding “, including additional rules established by the chair of the Tribunal” after “regulations”;**

**(b) by adding the following after subsection (1):**

**(1.1)** The chair of the Tribunal must make the additional rules established under subsection (1)(c) publicly available.

**NOTE:** (3) Section 68.5 presently reads in part:

*68.5(1) The Tribunal shall conduct all proceedings and decide all applications*

*(b) subject to any limitations and restrictions set out in the regulations, including*

*(iii) the application fees to be paid to the Tribunal by the parties to a dispute,*

*and*

(c) *in accordance with the rules of practice and procedure established under the regulations.*

**(4) The following is added after section 68.5:**

**Costs**

**68.51** The Tribunal may, in a decision, award costs to a party to the dispute to be payable by another party to the dispute, including costs incurred at any stage of the dispute resolution process.

**NOTE:** (4) Costs.

**(5) Section 69.1(3) is repealed.**

**NOTE:** (5) Section 69.1(3) presently reads:

*(3) The information collected and disclosed under this section may be used to assess fees established under section 68.9 to be payable by a corporation in accordance with the regulations.*

**(6) Section 81(s.1)(ix)(A) is repealed and the following is substituted:**

(A) fees required to be paid to the Tribunal by the parties to a dispute, including waiver of fees, and

**NOTE:** (6) Section 81(s.1)(ix)(A) presently reads:

*81 The Lieutenant Governor in Council may make regulations*

*(s.1) for the purposes of sections 68.2 to 68.9,*

*(ix) respecting*

*(A) fees required to be paid for filing applications with the Tribunal, including waiver of fees, and*

## **Daylight Saving Time Act**

### **Amends RSA 2000 cD-5**

**3(1) The *Daylight Saving Time Act* is amended by this section.**

**NOTE:** 3(1) Amends chapter D-5 of the Revised Statutes of Alberta 2000.

**(2) The title and chapter number of the Act are repealed and the following is substituted:**

## **OFFICIAL TIME ACT**

### **Chapter O-5.7**

**NOTE:** (2) The title and chapter number presently read:

*DAYLIGHT SAVING TIME ACT*  
*Chapter D-5*

**(3) Sections 1 to 5 are repealed and the following is substituted:**

#### **Definition**

**1** In this Act, “official time” means the time 6 hours behind Coordinated Universal Time.

#### **Time observed**

**2** No person shall use or observe within Alberta any time other than official time.

#### **Reference to time**

**3** A reference to time in an enactment, order, rule, proclamation, bylaw, resolution, agreement or other document is, unless otherwise expressed, a reference to official time.

#### **Municipalities and Metis settlements bound**

**4(1)** No municipality or Metis settlement shall adopt, proclaim, enforce, use or observe any time other than official time.

(2) A bylaw passed or proclamation issued by the council or an official of a municipality or Metis settlement providing for the adoption, proclamation or enforcement of the use or observance of any time other than official time is void.

(3) This section applies notwithstanding any enactment other than the *Municipal Government Act*.

### **Regulations**

5 The Lieutenant Governor in Council may make regulations

- (a) prescribing a term other than “official time” by which official time may be known;
- (b) defining any term used but not defined in this Act;
- (c) providing for any transitional matters arising under this Act;
- (d) respecting any matter or thing the Lieutenant Governor in Council considers necessary or advisable to carry out the purposes of this Act.

### **Consequential amendments to regulations**

6(1) For the purposes of making any necessary changes as a result of this Act, the Lieutenant Governor in Council may, by regulation, amend any regulation filed under the *Regulations Act*.

(2) A regulation authorized by this section may be made notwithstanding that the regulation being amended was made by a member of the Executive Council or some other person or body.

**NOTE:** (3) Sections 1 to 5 presently read:

1 *In this Act,*

(a) *“Daylight Saving Time” means the time one hour in advance of Mountain Standard Time;*

(b) *“Mountain Standard Time” means the time 7 hours behind Greenwich Mean time.*

2 *Except as provided in this Act, no person shall use or observe within Alberta any time other than Mountain Standard Time.*

*3(1) Subject to subsection (2), in every year, commencing in 2007, Daylight Saving Time shall be used and observed within Alberta during the period between*

*(a) 2 a.m. of the 2nd Sunday in March, and*

*(b) 2 a.m. of the first Sunday in November.*

*(2) The Lieutenant Governor in Council may by regulation vary, with respect to any year, the period referred to in subsection (1).*

*(3) No person shall during the period referred to in subsection (1), or that period as varied pursuant to subsection (2), use or observe within Alberta any time other than Daylight Saving Time.*

*4(1) Notwithstanding anything in any other Act, no municipality or Metis settlement shall adopt, proclaim, enforce, use or observe Daylight Saving Time or any time other than Mountain Standard Time.*

*(2) A bylaw passed or proclamation issued by the council or an official of a municipality or Metis Settlement providing for the adoption, proclamation, or enforcement of the use or observance of Daylight Saving Time or any time other than Mountain Standard Time is void.*

*(3) This section does not apply to the enforcement, use or observance of Daylight Saving Time in effect pursuant to section 3.*

*5 The Lieutenant Governor in Council may make regulations for the purpose of carrying out this Act according to its true intent and for facilitating its efficient administration.*

**(4) This section comes into force on Proclamation.**

**NOTE:** (4) Coming into force.

## **Environmental Protection and Enhancement Act**

**Amends RSA 2000 cE-12**

**4(1) The *Environmental Protection and Enhancement Act* is amended by this section.**

**NOTE:** 4(1) Amends chapter E-12 of the Revised Statutes of Alberta 2000.

**(2) Section 1 is amended**

**(a) by repealing clause (q) and substituting the following:**

(q) “designated material” means a material that is designated by regulation under section 174.1;

**(b) in clause (jj) by striking out “175(n)” and substituting “175(1)(n)”;**

**(c) in clause (ggg) by striking out “175(d)” and substituting “175(1)(d)”.**

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

*1 In this Act,*

*(q) “designated material” means a designated material within the meaning of the regulations;*

*(jj) “local authority” means*

*(i) the corporation of a city, town, village, summer village, municipal district or specialized municipality,*

*but for the purposes of sections 12(b), 22 to 24, 126, 184, 185 and 186 does not include an entity referred to in subclause (v) or (vi), and for the purposes of sections 147(b), 175(n) and 180(b) does not include an entity referred to in subclause (vi);*

*(ggg) “registration” means, except in sections 23, 24, 34(n), 154(b) and 175(d), a registration issued under this Act*

*in respect of an activity, and includes the renewal of a registration;*

**(3) Section 32(3) is amended by striking out “135, 174 or 189” and substituting “135 or 174”.**

**NOTE:** (3) Section 32(3) presently reads:

*(3) All security required to be deposited with the Government in respect of an approval, a code of practice, a registration, a certificate of qualification or a certificate of variance or under section 88.2, 97, 135, 174 or 189 or with respect to an approval or licence under the Water Act shall be paid into the Environmental Protection Security Fund.*

**(4) Section 168 is amended**

**(a) in clause (c) by striking out “section 175(aa)” and substituting “section 175(1)(aa)”;**

**(b) in clause (k) by striking out “sections 178 to 183 and section 187” and substituting “clause (j) and Division 2”.**

**NOTE:** (4) Section 168 presently reads in part:

*168 In this Part,*

*(c) “industry operated recycling fund” means a fund established in regulations under section 175(aa);*

*(k) “waste” means, for the purposes of sections 178 to 183 and section 187,*

*(i) any solid or liquid material or product or combination of solid or liquid material or product, including, but not limited to,*

*(A) rubbish, refuse, garbage, paper, packaging, containers, bottles, cans, manure, human or animal excrement, sewage or the whole or a part of an animal carcass, or*

*(B) the whole or part of any article, raw or processed material, vehicle or other machinery that is disposed of*

*and*

*(ii) any other thing that is designated as waste in the regulations;*

**(5) The following is added after section 174:**

**Ministerial regulations**

**174.1** The Minister may make regulations

- (a) designating a material as a designated material;
- (b) establishing classes of designated materials.

**NOTE:** (5) Ministerial regulations.

**(6) Section 175 is amended**

**(a) by renumbering it as section 175(1);**

**(b) in subsection (1)**

**(i) by repealing clause (b);**

**(ii) by repealing clause (k) and substituting the following:**

- (k) respecting surcharges for the purposes of sections 170, 171 and 172, including regulations
  - (i) establishing types of designated materials for which a surcharge is payable,
  - (ii) prescribing the amount of a surcharge or the method of determining the amount of a surcharge,
  - (iii) providing for the manner in which and the time at which a surcharge is to be collected, paid or refunded, and

(iv) delegating the determination of any matter described in subclauses (i) to (iii) to a management board or other body through the making of bylaws in respect of that matter in accordance with clause (kk);

**(iii) in clause (ee) by striking out “, without limitation,”;**

**(iv) in clause (ff) by striking out “designating classes” and substituting “establishing classes”;**

**(c) by adding the following after subsection (1):**

**(2)** A regulation made under subsection (1) may provide differently for the following:

(a) classes of designated materials established under section 174.1(b);

(b) classes of hazardous recyclables established under subsection (1)(ff).

**NOTE:** (6) Section 175 presently reads in part:

*175 The Lieutenant Governor in Council may make regulations*

*(b) designating designated material for the purposes of this Act and creating different classes of designated material for different purposes;*

*(k) respecting surcharges for the purposes of sections 170, 171 and 172, including, without limitation, regulations establishing or providing for the manner of establishing the classes of designated material for which surcharges are payable, prescribing the amount of a surcharge or the method of determining it and providing for the manner in which and the times at which surcharges are to be collected, paid or refunded;*

*(ee) respecting and prohibiting the use of packaging materials including, without limitation, regulations*

*(ff) designating any thing as a hazardous recyclable for the purposes of this Act, including designating classes of hazardous recyclables;*

**(7) The following is added after section 186:**

**Ministerial regulations**

**186.1(1)** The Minister may make regulations prohibiting the disposal of a thing in a waste management facility or a class of waste management facility established under section 187(1)(e).

**(2)** A regulation made under subsection (1) may establish classes of things and provide differently for those classes of things.

**NOTE:** (7) Ministerial regulations.

**(8) Section 187 is amended**

**(a) by renumbering it as section 187(1);**

**(b) in subsection (1)**

**(i) by repealing clause (a) and substituting the following:**

(a) designating a thing as waste for the purpose of section 168(k)(ii);

(a.1) exempting a thing from the definition of waste;

(a.2) establishing classes of waste;

**(ii) in clause (e) by adding “, including establishing classes of waste management facilities” after “waste management facilities”;**

**(c) by adding the following after subsection (1):**

**(2)** A regulation made under subsection (1) may provide differently for the following:

(a) classes of waste established under subsection (1)(a.2);

(b) classes of waste management facilities established under subsection (1)(e).

**NOTE:** (8) Section 187 presently reads in part:

*187 The Lieutenant Governor in Council may make regulations*

- (a) designating anything as waste and exempting anything from the definition of waste;*
- (e) respecting the design, location, establishment, construction, operation and reclamation of waste management facilities;*

**(9) Sections 188 to 190 are repealed.**

**NOTE:** (9) Sections 188 to 190 presently read:

*188(1) Except in accordance with a regulation made under section 193(a), a person shall not*

- (a) generate hazardous waste and permit that hazardous waste to leave the premises where it was generated,*
- (b) collect hazardous waste from the premises referred to in clause (a),*
- (c) consign or transport hazardous waste, or*
- (d) accept hazardous waste for transportation, treatment or disposal or store or provide storage facilities for hazardous waste where the hazardous waste is generated by another person,*

*unless the person first referred to or that person's employer has been issued a personal identification number by the Director.*

*(2) An application for a personal identification number must be made in the form and manner provided for in the regulations.*

*188.1 The Director may refuse to issue a personal identification number where the applicant is indebted to the Government.*

*189(1) If required by the regulations, the holder of a personal identification number shall provide financial or other security and carry insurance.*

*(2) Subsection (1) does not apply to the Government or a Government agency.*

*190 The Director may cancel or suspend a personal identification number*

- (a) if the holder of the personal identification number is indebted to the Government, or*
- (b) if for any other reason the Director considers it appropriate to do so.*

**(10) Section 191 is amended**

- (a) by striking out “section 193(a)” and substituting “section 193(1)(a)”;**
- (b) by adding “and” at the end of clause (a), by striking out “and” at the end of clause (b) and by repealing clause (c).**

**NOTE:** (10) Section 191 presently reads:

*191 Except in accordance with a regulation made under section 193(a), no person shall consign or transport or accept for transportation, storage, treatment or disposal any hazardous waste unless the waste is accompanied with a manifest that*

- (a) is completed in accordance with the regulations,*
- (b) accurately identifies the quantity, composition and points of origin and destination of the hazardous waste, and*
- (c) contains the personal identification number of each person consigning, transporting or accepting the waste.*

**(11) Section 193 is amended**

**(a) by renumbering it as section 193(1);**

**(b) in subsection (1)**

**(i) in clause (b) by striking out “designating classes” and substituting “establishing classes”;**

**(ii) by repealing clauses (e), (f) and (g);**

**(c) by adding the following after subsection (1):**

**(2) A regulation made under subsection (1) may provide differently for the following:**

(a) classes of persons exempted under subsection (1)(a);

(b) classes of hazardous waste established under subsection (1)(b).

**NOTE:** (11) Section 193 presently reads in part:

*193 The Lieutenant Governor in Council may make regulations*

*(b) designating any thing as hazardous waste for the purposes of this Act, including designating classes of hazardous waste;*

*(e) respecting the application for and the issuance of personal identification numbers for the purposes of section 188;*

*(f) respecting the form and amount of financial or other security to be given and insurance to be carried by a holder of a personal identification number;*

*(g) respecting the manner in which and the conditions under which any security given by the holder of a personal identification number may be forfeited or returned, in whole or in part;*

**(12) Sections 227(j), 228(2) and 229 are amended by striking out “188,”.**

**NOTE:** (12) Removes references to section 188 re offences and penalties.

**(13) This section comes into force on Proclamation.**

**NOTE:** (13) Coming into force.

### **Gaming, Liquor and Cannabis Act**

**Amends RSA 2000 cG-1**

**5(1) The *Gaming, Liquor and Cannabis Act* is amended by this section.**

**NOTE:** 5(1) Amends chapter G-1 of the Revised Statutes of Alberta 2000.

**(2) The following is added after section 34.1:**

#### **Sale of personal information**

**34.2(1)** Notwithstanding section 11 of the *Protection of Privacy Act* and subject to section 34(3) of this Act, the Commission may sell and, in accordance with that sale, disclose personal information if the Lieutenant Governor in Council approves the sale and disclosure of personal information by the Commission in accordance with this section.

(2) The Lieutenant Governor in Council may, by order, approve the sale and, in accordance with that sale, the disclosure of personal information by the Commission if the Lieutenant Governor in Council is satisfied that there are reasonable measures in place to protect the personal information after that personal information has been sold.

(3) An order made under subsection (2)

- (a) must include a description of the personal information the Commission has been approved to sell and disclose, and
- (b) may include any terms and conditions the Lieutenant Governor in Council considers reasonable.

**(4)** A person who purchases personal information from the Commission

- (a) may only use and disclose the personal information for the purpose for which the personal information was initially collected by the Commission, except with the consent of the individual the information is about, and
- (b) subject to clause (a), must use, disclose, provide access to, provide information about, correct, protect, retain and otherwise act in a manner in respect of that personal information that complies with and meets the obligations of the *Personal Information Protection Act* with respect to personal information.

**NOTE:** (2) Sale of personal information.

**(3) Section 49.1(4) and (5) are repealed.**

**NOTE:** (3) Section 49.1(4) and (5) presently read:

*(4) Except as provided in this Act or the regulations,*

- (a) no person who is required to be registered under section 49.2 may advertise in relation to an iGaming site unless the person is registered under section 49.2, and*
- (b) no person may advertise in relation to an iGaming site except in accordance with the regulations, if any.*

*(5) It is an offence to advertise in relation to an iGaming site contrary to the regulations if the regulations designate that it is an offence to do so.*

**(4) The following is added after section 49.4:**

**Advertising in relation to iGaming**

**49.41** Except as provided in this Act or the regulations,

- (a) a person who is required to be registered under section 49.2 must not advertise in relation to an iGaming site unless the person is registered under section 49.2, and
- (b) a person must not advertise in relation to an iGaming site except in accordance with
  - (i) the regulations, if any, and
  - (ii) the standards and requirements established by the board under section 49.5, if any.

**NOTE:** (4) Advertising in relation to iGaming.

**(5) Section 49.5 is amended**

**(a) in subsection (1) by adding the following after clause (c):**

- (d) advertising in relation to an iGaming site.

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

**(2.1)** The board must make standards and requirements established under this section publicly available.

**(2.2)** If there is a conflict or inconsistency between this Act, or a regulation made under this Act, and a standard or requirement established by the board under this section, this Act, or a regulation made under this Act, prevails to the extent of the conflict or inconsistency.

**(c) by repealing subsection (4).**

**NOTE:** (5) Section 49.5 presently reads in part:

*49.5(1) The board may, in accordance with the regulations, if any, establish standards and requirements for the following:*

*(4) The Lieutenant Governor in Council may, by regulation, establish requirements that the Commission, the iGaming corporation and iGaming suppliers must comply with respecting advertising, social responsibility, consumer protection or any other matter.*

**(6) Section 116 is amended by striking out “49.1(4)(a), 49.3, 49.5(4)” and substituting “49.3, 49.41, 49.5(3)”.**

**NOTE:** (6) Section 116 presently reads:

*116 A person who contravenes section 34(2), 36, 37.1, 37.2, 39, 40, 41, 45, 46, 49.1(1), 49.1(3), 49.1(4)(a), 49.3, 49.5(4), 49.6, 49.7, 49.9, 49.91, 50, 64, 65(1), 66, 68, 69, 69.1(6), 70, 71, 72(1), 73, 74, 75, 75.1, 77, 79, 81, 84, 86(2), 87, 89, 90, 90.03, 90.04, 90.05, 90.06, 90.08, 90.14, 90.15, 90.16, 90.18, 90.19, 90.2, 90.21, 90.22, 90.23, 90.24, 90.25, 90.26, 90.27, 90.28, 90.29, 99, 100, 101, 101.1 or 115(1) or a section in the Act or regulations the contravention of which is designated by the regulations to be an offence is guilty of an offence.*

**(7) Section 118 is amended by striking out “49.1(4)(a)” and substituting “49.41”.**

**NOTE:** (7) Section 118 presently reads:

*118 A person who contravenes section 45, 46, 49.1(1) or 49.1(4)(a) is liable to a fine of not more than \$500 000 or to imprisonment for not more than 12 months, or to both.*

**(8) Section 129(1) is amended**

**(a) by repealing clause (m.05) and substituting the following:**

(m.05) exempting any person from the requirements in section 49.1(1)(a) or (b);

**(b) by repealing clause (m.06) and substituting the following:**

- (m.06) respecting advertising in relation to an iGaming site, including
  - (i) defining “advertise” for the purposes of section 49.41,
  - (ii) exempting any person from the application of section 49.41(a), and
  - (iii) establishing requirements respecting advertising that must be complied with;
- (c) in clause (m.07) by striking out “, “goods or services” and “advertise”” and substituting “and “goods or services””;**
- (d) in clause (m.09) by striking out “49.1(4)(b) or”;**
- (e) in clause (m.11) by adding “, including requirements respecting social responsibility, consumer protection or any other matter” after “with”.**

**NOTE:** (8) Section 129(1) presently reads in part:

*129(1) The Lieutenant Governor in Council may make regulations*

- (m.05) exempting any person from the need to register as an iGaming supplier to provide or operate an iGaming site or to provide goods or services for an iGaming site;*
- (m.06) respecting advertising in relation to an iGaming site, including exempting any person from the application of section 49.1(4)(a);*
- (m.07) defining “provide”, “operate”, “goods or services” and “advertise” for the purposes of section 49.1;*
- (m.09) designating that a contravention of section 49.1(4)(b) or 49.4(1) is an offence;*
- (m.11) establishing requirements that the Commission, the iGaming corporation and iGaming suppliers must comply with;*

**(9) Subsections (3) to (8) come into force on Proclamation.**

**NOTE:** (9) Coming into force.

**Gas Resources Preservation Act**

**Amends RSA 2000 cG-4**

**6(1) The *Gas Resources Preservation Act* is amended by this section.**

**NOTE:** 6(1) Amends chapter G-4 of the Revised Statutes of Alberta 2000.

**(2) Section 11 is amended**

**(a) in subsection (1) by striking out “by order suspend the permit” and substituting “take an action described in subsection (3)”;**

**(b) by repealing subsection (2);**

**(c) in subsection (3)**

**(i) by striking out the portion preceding clause (a) and substituting the following:**

**(3)** If it appears to the Regulator that there has been or is a contravention described in subsection (1), the Regulator may

**(ii) by repealing clauses (a) and (b) and substituting the following:**

**(a)** by order suspend the permit for a specified period or until the Regulator reinstates the permit,

**NOTE:** (2) Section 11 presently reads in part:

*11(1) If it appears to the Regulator that there has been or is a contravention of*

*(a) any term or condition of a permit,*

(b) *any term or condition of an approval of the Lieutenant Governor in Council or the Minister given under this Act, or*

(c) *this Act or the regulations,*

*the Regulator may by order suspend the permit.*

*(2) If a permit is suspended pursuant to subsection (1), the permittee may request an inquiry and, if the permittee does so, the Regulator shall commence the holding of an inquiry within 5 clear days, exclusive of holidays, after the date of receipt of the request.*

*(3) After the conclusion of an inquiry under subsection (2) or the abandonment of the inquiry by the permittee who requested it, or after the expiration of the 30-day period following the effective date of the suspension order under subsection (1) without an inquiry having been requested, the Regulator may*

*(a) reinstate the permit subject to any conditions the Regulator directs,*

*(b) order the continued suspension of the permit for a specified period or until the Regulator reinstates the permit,*

## **Infrastructure Accountability Act**

### **Amends SA 2021 cl-1.6**

**7(1) The *Infrastructure Accountability Act* is amended by this section.**

**NOTE:** 7(1) Amends chapter I-1.6 of the Statutes of Alberta, 2021.

**(2) Section 6(1) is amended by striking out “4 years” and substituting “7 years”.**

**NOTE:** (2) Section 6(1) presently reads:

*6(1) The Responsible Minister shall prepare and publish a 20-year strategic capital plan within one year of the coming into force of this Act and at least once every 4 years thereafter.*

## **Irrigation Districts Act**

**Amends RSA 2000 cl-11**

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

**NOTE:** 8(1) Amends chapter I-11 of the Revised Statutes of Alberta 2000.

**(2) Section 1 is amended**

**(a) in clause (j)**

**(i) by repealing subclause (i) and substituting the following:**

(i) a district listed in section 5 or formed under Part 4, or

**(ii) in subclause (ii) by striking out “an existing district or a district formed under this Act” and substituting “a district referred to in subclause (i)”;**

**(b) in clause (m) by striking out “as specified in Table 2 of the Schedule, an order under section 79(1)(a) or (c) or a bylaw of the district, as the case may be”.**

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

*1 In this Act,*

*(j) “district” or “irrigation district” means, as the context requires,*

*(i) any or all of the districts listed in section 5, or*

*(ii) the geographical area consisting of the parcels of land included in an existing district or a district formed under this Act;*

(m) "expansion limit" means the maximum of the total number of irrigation acres plus acres subject to a terminable agreement in a district as specified in Table 2 of the Schedule, an order under section 79(1)(a) or (c) or a bylaw of the district, as the case may be;

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

**Establishment and continuance of districts**

**5(1)** The following districts are established:

- (a) Bow River Irrigation District;
- (b) Eastern Irrigation District;
- (c) Lethbridge Northern Irrigation District;
- (d) Magrath Irrigation District;
- (e) Mountain View Irrigation District;
- (f) Raymond Irrigation District;
- (g) Ross Creek Irrigation District;
- (h) United Irrigation District;
- (i) Western Irrigation District.

**(2)** The following districts are continued:

- (a) St. Mary River Irrigation District;
- (b) Southwest Irrigation District.

**NOTE:** (3) Section 5 presently reads:

*5 The following corporations are established:*

- (a) Aetna Irrigation District;*
- (b) Bow River Irrigation District;*

- (c) *Eastern Irrigation District;*
- (d) *Leavitt Irrigation District;*
- (e) *Lethbridge Northern Irrigation District;*
- (f) *Magrath Irrigation District;*
- (g) *Mountain View Irrigation District;*
- (h) *Raymond Irrigation District;*
- (i) *Ross Creek Irrigation District;*
- (j) *St. Mary River Irrigation District;*
- (l) *United Irrigation District;*
- (m) *Western Irrigation District.*

**(4) Section 6 is amended by adding the following before subsection (1):**

**Capacity, purposes and powers of a district**

**6(0.1)** A district is a corporation.

**NOTE:** (4) Makes districts corporations.

**(5) Section 12(2) is repealed and the following is substituted:**

(2) Subject to subsection (3), the expansion limit for a district is the following as most recently specified:

- (a) if Table 2 of the Schedule specifies an expansion limit for a district, that expansion limit;
- (b) if a district is formed by an order under Part 4, the expansion limit specified in the order.

**NOTE:** (5) Section 12(2) presently reads:

*(2) Subject to subsection (3), the expansion limit for a district is*

- (a) in the case of a district listed in Table 2 in the Schedule, the expansion limit specified in Table 2;*
- (b) in the case of a district that is formed after the coming into force of this Act, the expansion limit specified in the order under section 79(1)(a);*
- (c) in the case of an amalgamated district, the expansion limit specified in the order under section 79(1)(c).*

**(6) Section 45(2) is repealed and the following is substituted:**

**(2)** At least 10 days before the date of an annual meeting of the irrigators, the manager

- (a) must send a notice of the date, time and location of the meeting to each irrigator of the district
  - (i) to the email address provided by the irrigator for the purposes of receiving notice of annual meetings, if any, or
  - (ii) by a method specified in section 181(2),

and

- (b) must, in the form prescribed by the regulations,
  - (i) publish a notice of the meeting in a newspaper of general circulation in the district, or
  - (ii) make a notice of the meeting available on the district's publicly accessible website.

**NOTE:** (6) Section 45(2) presently reads:

*(2) The manager must at least 10 clear days before the date fixed for the meeting*

- (a) send a notice of the meeting to each irrigator of the district, and*

(b) have a notice of the meeting in the form prescribed in the regulations published in a newspaper of general circulation in the district.

**(7) The Schedule is amended by repealing Tables 1 and 2 and substituting the following:**

**Table 2**

**Irrigation District Expansion Limits**

	<b>Name of Irrigation District</b>	<b>Expansion Limit (Acres)</b>
1	Bow River Irrigation District	295 000
2	Eastern Irrigation District	345 000
3	Lethbridge Northern Irrigation District	227 000
4	Magrath Irrigation District	18 300
5	Mountain View Irrigation District	4240
6	Raymond Irrigation District	58 500
7	Ross Creek Irrigation District	1210
8	St. Mary River Irrigation District	584 200
9	Southwest Irrigation District	13 500
10	United Irrigation District	37 840
11	Western Irrigation District	110 000

**NOTE:** (7) The Schedule presently reads:

*Schedule*

*Table 1*

<i>Column A</i>	<i>Column B</i>
<i>Board of Directors of the Aetna Irrigation District</i>	<i>Aetna Irrigation District</i>
<i>Board of Directors of the Bow River Irrigation District</i>	<i>Bow River Irrigation District</i>
<i>Board of Directors of the Eastern Irrigation District</i>	<i>Eastern Irrigation District</i>

<i>Board of Directors of the Leavitt Irrigation District</i>	<i>Leavitt Irrigation District</i>
<i>Board of Directors of the Lethbridge Northern Irrigation District</i>	<i>Lethbridge Northern Irrigation District</i>
<i>Board of Directors of the Magrath Irrigation District</i>	<i>Magrath Irrigation District</i>
<i>Board of Directors of the Mountain View Irrigation District</i>	<i>Mountain View Irrigation District</i>
<i>Board of Directors of the Raymond Irrigation District</i>	<i>Raymond Irrigation District</i>
<i>Board of Directors of the Ross Creek Irrigation District</i>	<i>Ross Creek Irrigation District</i>
<i>Board of Directors of the St. Mary River Irrigation District</i>	<i>St. Mary River Irrigation District</i>
<i>Board of Directors of the United Irrigation District</i>	<i>United Irrigation District</i>
<i>Board of Directors of the Western Irrigation District</i>	<i>Western Irrigation District</i>

*Table 2*

*Irrigation District Expansion Limits*

<i>Name of Irrigation District</i>	<i>Expansion Limit (Acres)</i>
<i>Aetna Irrigation District</i>	<i>7500</i>
<i>Bow River Irrigation District</i>	<i>295 000</i>
<i>Eastern Irrigation District</i>	<i>345 000</i>
<i>Leavitt Irrigation District</i>	<i>6000</i>
<i>Lethbridge Northern Irrigation District</i>	<i>227 000</i>
<i>Magrath Irrigation District</i>	<i>18 300</i>
<i>Mountain View Irrigation District</i>	<i>4240</i>
<i>Raymond Irrigation District</i>	<i>58 500</i>
<i>Ross Creek Irrigation District</i>	<i>1210</i>
<i>St. Mary River Irrigation District</i>	<i>504 200</i>
<i>United Irrigation District</i>	<i>34 400</i>
<i>Western Irrigation District</i>	<i>95 000</i>

## Land Titles Act

Amends RSA 2000 cL-4

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

**NOTE: 9(1)** Amends chapter L-4 of the Revised Statutes of Alberta 2000.

**(2) Section 1 is amended**

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

(a.1) “authorized user” means an individual who is authorized by a certificate issued under section 56.51 to incorporate the individual’s digital signature into a request for registration or filing and to submit the request to the Registrar;

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

(b.1) “certification authority” means a certification authority designated by the Registrar under section 56.41;

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

(c.1) “digital signature” means a secure signature in electronic format;

**(d) in clause (e) by striking out “mechanics’ or builders’ liens” and substituting “mechanics’ liens or liens under the *Prompt Payment and Construction Lien Act*”;**

**(e) in clause (h)**

**(i) by striking out “paper” and substituting “document”;**

**(ii) by striking out “by the Registrar” and substituting “by the Registrar, or to any notation made by the Registrar in relation to a registration on a certificate of title”;**

**(f) in clause (k)(iv) by adding “other than a request for registration or filing” after “to land”;**

**(g) in clause (n) by striking out “presented for registration”;**

**(h) in clause (r.1) by striking out “instruments and caveats” and substituting “requests for registration or filing”;**

**(i) by adding the following after clause (u):**

(u.1) “Registrar’s rules” means, subject to section 8.4, the rules established by the Registrar under section 8.1, 8.2 or 8.3;

**(j) by adding the following after clause (v.1):**

(v.2) “request for registration or filing” means a document submitted to the Registrar containing an instrument or caveat, a copy of an instrument or caveat or the particulars of an instrument or caveat and any supporting documentation for the registration or filing of an instrument or caveat;

**(k) in clause (w) by striking out “in the prescribed form”.**

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

*1 In this Act,*

(e) *“encumbrance” means any charge on land created or effected for any purpose whatever, inclusive of mortgage, mechanics’ or builders’ liens, when authorized by statute, and executions against land, unless expressly distinguished;*

(h) *“endorsed” and “endorsement” apply to anything entered, printed, stamped or written on an instrument or caveat or on any paper attached to it by the Registrar;*

(k) *“instrument” means*

(iv) *any other document in writing relating to or affecting the transfer of or dealing with land or evidencing title to land;*

(n) *“memorandum” means the endorsement on the certificate of title of the particulars of an instrument or caveat presented for registration;*

(r.1) *“pending registration queue” means the queue of instruments and caveats to which section 14.1 applies*

*that are awaiting the examination required under section 14(2);*

(w) *“transfer” means the passing of any estate or interest in land under this Act, whether for valuable consideration or otherwise, as well as the instrument of transfer in the prescribed form;*

**(3) The following is added after section 8:**

**Forms**

**8.1(1)** The Registrar may establish forms and rules for the use of forms under this Act, including affidavits to support the registration or filing of instruments or caveats.

(2) The Registrar shall ensure that all forms the Registrar establishes are made available to the public.

(3) Forms that were prescribed for use under this Act before the coming into force of this section that are signed or executed before 90 days after this section comes into force may be submitted to the Registrar for registration or filing after this section comes into force.

(4) Forms submitted to the Registrar for filing or registration in accordance with subsection (3) may be examined by the Registrar and, if determined to be in the proper form and fit for registration in accordance with this Act and the regulations as they read immediately before the coming into force of this section, may be registered or filed by the Registrar.

**Registrar’s rules re requests for registration or filing**

**8.2** The Registrar may establish rules respecting

- (a) requests for registration or filing that are submitted to the Registrar, including
  - (i) the contents and format of a request,
  - (ii) the manner and method of preparation and submission of a request,
  - (iii) documents and information required to accompany or support a request, and

- (iv) the retention of any information or documentation referenced or contained in a request for registration or filing,

and

- (b) any other matter prescribed by the regulations for the purposes of this section.

**Registrar's rules re requests for registration or filing in electronic format**

**8.3(1)** The Registrar may establish rules respecting

- (a) the use of digital signatures and their incorporation into a request for registration or filing in electronic format,
- (b) the eligibility of an individual to become an authorized user,
- (c) the establishment of classes of authorized users, and
- (d) any other matter prescribed by the regulations for the purposes of this section.

**(2)** A request submitted to the Registrar electronically by an authorized user must include the authorized user's digital signature.

**(3)** A digital signature must be incorporated into a request for registration or filing submitted to the Registrar electronically by an authorized user in compliance with

- (a) this Act and the regulations,
- (b) the Registrar's rules, and
- (c) the approved certification practice statement of the certification authority that issued the authorized user a certificate under section 56.51, as applicable.

**(4)** Rules established under this section may apply generally to all authorized users or to specific classes of authorized users.

**Modification of Registrar's rules**

**8.4(1)** The Minister may, by order, rescind, modify or replace a Registrar's rule established under section 8.2 or 8.3.

- (2) An order made under subsection (1)
- (a) must specify the date the rescission, modification or replacement takes effect,
  - (b) may address any transitional issues arising from the rescission, modification or replacement, and
  - (c) may include any terms or conditions the Minister considers appropriate.
- (3) The *Regulations Act* does not apply to an order made under subsection (1).
- (4) A rule rescinded by an order made under subsection (1) has no force or effect.
- (5) A rule modified or replaced by an order made under subsection (1) prevails over any rule that is made or amended by the Registrar with which it conflicts or is inconsistent to the extent of the conflict or inconsistency.
- (6) With respect to the Registrar's rules established under section 8.2 or 8.3, a reference in this Act, the regulations, the Registrar's rules or any other enactment to those rules means those rules reflecting any rescission, modification or replacement made by an order under subsection (1).
- (7) The Minister shall publish an order made under subsection (1) on a website of the Minister's department.
- (8) If an order is made under subsection (1), and subject to the terms of the order, requests for registration or filing in the pending registration queue must be examined and instruments and caveats referenced in the requests must be registered or filed in accordance with the Registrar's rules as they read immediately before the order takes effect.
- (9) No action lies against the Minister or Registrar for any damage or loss sustained as a result of an order issued under subsection (1).

**Publication and interpretation of Registrar's rules**

- 8.5(1)** The *Regulations Act* does not apply to the Registrar's rules.
- (2) The Registrar's rules must be made available to the public.

(3) For greater certainty, if there is a conflict or inconsistency between the Registrar's rules and an enactment governing the creation, registration or filing of an instrument or caveat, as applicable, the requirements set out in the enactment prevail to the extent of the conflict or inconsistency.

**Production of information re requests for registration or filing**

**8.6(1)** On receiving a request for registration or filing, the Registrar may require the individual who submitted the request, or the person on whose behalf the request was submitted, to produce any information or documentation that the Registrar considers necessary to ensure that the instruments or caveats referenced in the request are in the proper form and fit for registration or filing.

(2) The Registrar may refuse to register or file an instrument or caveat referenced in a request if the individual who submitted the request or the person on whose behalf the request was submitted does not produce the information or documentation the Registrar requires.

(3) The Registrar may at any time after an instrument or caveat has been registered or filed require the production of information or documentation referred to in subsection (1) in order to conduct an audit of a request for registration or filing and subsequent registration or filing based on the request.

(4) The Registrar's authority to conduct an audit referred to in subsection (3) is subject to the regulations.

**NOTE:** (3) Forms; Registrar's rules re requests for registration or filing; Registrar's rules re requests for registration or filing in electronic format; modification of Registrar's rules; publication and interpretation of Registrar's rules; production of information re requests for registration or filing.

**(4) Section 14 is amended**

(a) **in subsection (1) by striking out** "accepted by the Registrar for filing or registration" **and substituting** "registered or filed by the Registrar";

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

**(2)** The Registrar shall examine each request for registration or filing and, if it is complete and in the proper form, assign the instrument or caveat referenced in the request a serial number and endorse the serial number and the date on which the instrument or caveat was assigned that serial number on the certificate of title.

**NOTE:** (4) Section 14 presently reads in part:

*14(1) The Registrar shall keep a record that shall contain particulars of every instrument and caveat accepted by the Registrar for filing or registration.*

*(2) The Registrar shall cause each instrument or caveat received by the Registrar for filing or registration to be examined and if it is found to be complete and in the proper form and fit for filing or registration, the Registrar shall endorse on the instrument or caveat the serial number assigned to it and the date on which the serial number is assigned.*

**(5) Section 14.1 is amended**

**(a) in subsection (3) by striking out “instruments and caveats” and substituting “requests for registration or filing”;**

**(b) by repealing subsections (4) to (6) and substituting the following:**

**(4)** Requests for registration or filing in the pending registration queue must be examined and instruments and caveats referenced in the requests must be registered or filed in accordance with section 14(2) in the order in which the requests are entered in the pending registration queue.

**(5)** Notwithstanding subsection (4), the regulations may provide that requests for registration or filing in the pending registration queue may be examined and instruments and caveats referenced in the requests may be registered or filed in an order other than the order in which the requests are entered in the pending registration queue.

(6) If a request for registration or filing in the pending registration queue is found to be incomplete, not in the proper form or unfit for registration or filing of an instrument or caveat, the Registrar may

- (a) return the request for correction, in which case the request shall,
  - (i) if it is returned to the Registrar within the time prescribed by the regulations, retain its place in the pending registration queue, or
  - (ii) if it is not returned to the Registrar within the time prescribed by the regulations, be removed from the pending registration queue,

or

- (b) reject the request if, in the Registrar's opinion, it was submitted in bad faith or its defects are such that they cannot reasonably be corrected, in which case the request shall be removed from the pending registration queue.

(c) **in subsection (7)**

- (i) **by adding** "request for registration or filing referencing the" **after** "when the";
- (ii) **by striking out** "unless the instrument or caveat" **and substituting** "unless the request";

(d) **by adding the following after subsection (7):**

(8) A request for registration or filing returned to the Registrar with the fee established under section 164(1.1) retains its place in the pending registration queue.

**NOTE:** (5) Section 14.1 presently reads in part:

*(3) The Registrar shall ensure that instruments and caveats are entered in the pending registration queue in an order acceptable to the Registrar.*

*(4) Instruments and caveats in the pending registration queue must be examined and registered in accordance with section*

*14(2) in the order in which they are entered in the pending registration queue.*

*(5) Notwithstanding subsection (4), the regulations may provide that instruments and caveats in the pending registration queue may be examined and registered in an order other than the order in which they are entered in the pending registration queue.*

*(6) If an instrument or caveat in the pending registration queue is found to be incomplete, not in the proper form or not fit for registration, the Registrar may*

*(a) return the instrument or caveat for correction, in which case the instrument or caveat shall,*

*(i) if it is returned to the Registrar within the time prescribed by the regulations, retain its place in the pending registration queue, or*

*(ii) if it is not returned to the Registrar within the time prescribed by the regulations, be removed from the pending registration queue,*

*or*

*(b) reject the instrument or caveat if, in the Registrar's opinion, it was submitted in bad faith or its defects are such that they cannot reasonably be corrected, in which case the instrument or caveat shall be removed from the pending registration queue.*

*(7) Where, under a court order or enactment, an instrument or caveat must be registered within a specific period of time, the requirements of the court order or enactment with respect to the timing of registration are deemed to have been satisfied when the instrument or caveat is entered in the pending registration queue, unless the instrument or caveat is later removed from the pending registration queue under subsection (6)(a)(ii) or (b).*

**(6) Section 17 is amended**

**(a) in clause (b) by adding “request for registration or filing referencing an” after “any”;**

**(b) in clause (c)**

- (i) by adding** “a request for registration or filing referencing”  
**after** “if”;
- (ii) by striking out** “the instrument or caveat” **and**  
**substituting** “the request for registration or filing”.

**NOTE:** (6) Section 17 presently reads in part:

*17 When the Registrar receives a request for a search and the payment of the prescribed fee, and when the person requesting the search has fulfilled any conditions, criteria or qualifications prescribed by the regulations, the Registrar shall*

- (b) advise the person whether any instrument or caveat related to the search has been entered in the pending registration queue, and*
- (c) if an instrument or caveat has been entered in the pending registration queue, advise the person of the date on which the instrument or caveat was entered.*

**(7) The following is added after the heading preceding section 24:**

**Registration of documents in electronic format**

**23.1** Subject to this Act and the regulations, the Registrar may register or file instruments and caveats created or signed electronically, or both, and these instruments and caveats shall not be unenforceable, ineffective or invalid solely by virtue of the fact that they were created or signed electronically, or both.

**NOTE:** (7) Registration of documents in electronic format.

**(8) Section 24(1) is amended by striking out** “it has been marked by the Registrar with the serial number assigned to it” **and substituting** “the Registrar assigns a serial number to it”.

**NOTE:** (8) Section 24(1) presently reads:

*24(1) A grant is deemed to be registered under this Act when it has been marked by the Registrar with the serial number assigned to it and a memorandum of its registration has been entered in the record.*

**(9) Section 27 is amended**

- (a) in subsection (1) by adding “request for registration or filing of an” after “any”;**
- (b) in subsections (2) and (4) by striking out “submission” and substituting “request”.**

**NOTE:** (9) Section 27 presently reads in part:

*27(1) The Registrar may reject any instrument or caveat under which an interest in land is claimed or dealt with on behalf of a corporation unless the Registrar is satisfied that the corporation is*

*(2) In the case of any corporation to which subsection (1)(a), (b), (c), (d), (e), (f), (g) or (h) applies, the receipt by the Registrar of a certificate from*

- (a) the Registrar of Companies that a corporation is registered under the Companies Act,*

*shall be sufficient to satisfy the Registrar in relation to every submission for registration or filing made afterwards in relation to that corporation until the Registrar is informed by the Registrar of Companies, the Registrar as defined in the Business Corporations Act, the member of the Executive Council responsible for the administration of the Loan and Trust Corporations Act, the Superintendent of Insurance, the member of the Executive Council responsible for the administration of the Credit Union Act or the Director of Agricultural Societies, as the case may be, that the certificate issued in respect of that corporation is no longer valid.*

*(4) Except in respect of a corporation*

- (a) that is a loan corporation or trust corporation, or*

*a certificate of a solicitor who is a member of The Law Society of Alberta stating that the corporation is registered under the Companies Act, the Societies Act, the Rural Utilities Act or the Agricultural Societies Act, or is incorporated, continued or registered under the Business Corporations Act, the Cooperatives Act or the Credit Union Act shall be sufficient to satisfy the Registrar in relation to the submission for registration or filing of the instrument or caveat to which the certificate is attached and of which it forms part.*

**(10) Section 28 is amended**

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

- (i) by striking out “register any caveat” and substituting “file any caveat”;**
- (ii) by striking out “accompanied with” and substituting “supported by”;**

- (b) in subsection (2) by striking out “register a transfer, transmission, caveat or plan of subdivision” and substituting “register a transfer or transmission, file a caveat or register or file a plan of subdivision”.**

**NOTE:** (10) Section 28 presently reads:

*28(1) The Registrar shall refuse to register the transfer or transmission of any estate or interest in land, to register any caveat relating to an estate or interest in land or to register or file a plan of subdivision unless the transfer, transmission, caveat or plan of subdivision is accompanied with a statutory declaration in the form and containing the information prescribed by regulations under the Agricultural and Recreational Land Ownership Act and section 35 of the Citizenship Act (Canada) and made by the person required by those regulations to make it.*

*(2) The Registrar shall refuse to register a transfer, transmission, caveat or plan of subdivision described in subsection (1) if the Registrar has reason to believe that the transfer, transmission, caveat or plan of subdivision results in the taking or acquisition directly or indirectly of, or the succession to, an estate or interest in land by a person contrary*

*to regulations made under the Agricultural and Recreational Land Ownership Act and section 35 of the Citizenship Act (Canada).*

**(11) Section 34 is amended**

- (a) by adding** “request for registration or filing relating to a” **after** “When a”;
- (b) by striking out** “together with an affidavit” **and substituting** “and there is an affidavit stating”;
- (c) by striking out** “notify that person by registered mail” **and substituting** “send a notice to that person stating”;
- (d) by striking out** “the posting of the letter” **and substituting** “the date that the notice is deemed to have been received under section 215(3)”.

**NOTE:** (11) Section 34 presently reads:

*34 When a caveat or notification is forwarded to the Registrar under the Municipal Government Act with respect to any parcel of land the title to which is not registered under this Act, together with an affidavit that the person named in the caveat or notification is the owner of the parcel and that the person resides at an address given in the caveat or notification, the Registrar shall notify that person by registered mail that unless the latter shows cause why the person should not be registered as owner of the parcel within one month from the posting of the letter, the Registrar will so register the person, and shall, on being satisfied that any such person or any other person is the owner of the land, issue a certificate of title in the person's name.*

**(12) Section 35 is amended**

- (a) in subsection (1)**
  - (i) by striking out** “in the prescribed form” **wherever it occurs**;

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

(a.1) a confirmation that an affidavit has been executed verifying the application made by the applicant or someone on the applicant's behalf,

**(iii) in clause (b) by striking out "filed" and substituting "made";**

**(b) in subsection (3) by striking out ", in the prescribed form,";**

**(c) in subsection (4) by striking out "executed in the manner in which transfers are required to be executed under this Act".**

**NOTE:** (12) Section 35 presently reads in part:

*35(1) The application to bring land under the operation of this Act shall be made in the prescribed form to the Registrar, shall be verified by the affidavit in the prescribed form of the applicant or someone on the applicant's behalf and shall be accompanied with*

*(b) a certificate showing all registrations affecting the title down to the time when the application is filed, with copies of any registered documents the original of which the applicant is unable to produce, and*

*(3) It is not necessary for the Hudson's Bay Company, in the case of land the title of which has passed to that company before January 1, 1887, either by notification made under the Dominion Lands Act (Canada), RSC 1927 c113, or by letters patent issued under that Act prior to that date, to produce to the Registrar any of the certificates mentioned in this section if the application is accompanied with an affidavit, in the prescribed form, to be made by any officer of the company, approved by the Minister.*

*(4) For the purpose of the application, all transfers of land executed in the manner in which transfers are required to be executed under this Act shall be taken to be effectual to vest the title to the land in the transferee mentioned in the transfer.*

**(13) Section 36(3) is repealed.**

**NOTE:** (13) Section 36(3) presently reads:

*(3) The receipt may be in the prescribed form.*

**(14) Section 39(1) is amended by striking out** “verified by affidavit” **and substituting** “and provide the Registrar with confirmation that an affidavit supporting the person’s claim has been executed”.

**NOTE:** (14) Section 39(1) presently reads:

*39(1) Any person having an adverse claim or a claim not recognized in the application for registration may, at any time before the judge has approved of the applicant’s title, file with the Registrar a short statement of the person’s claim, verified by affidavit, and shall serve a copy of it on the applicant, the applicant’s solicitor or agent.*

**(15) Section 44 is amended**

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

**(i) by striking out** “deliver to the Registrar a memorandum in writing of some post office address” **and substituting** “provide to the Registrar a post office address”;

**(ii) by striking out** “to mail” **and substituting** “to send”;

**(b) in subsection (2) by striking out** “in like manner”;

**(c) by repealing subsection (3) and substituting the following:**

**(3)** Notwithstanding subsection (1), the Registrar may proceed without having been provided a post office address if the Registrar is already aware of the owner’s or mortgagee’s address for service or post office address.

**NOTE:** (15) Section 44 presently reads:

*44(1) An owner or mortgagee of land for which a certificate of title has been granted shall deliver to the Registrar a memorandum in writing of some post office address to which it*

*shall be sufficient to mail all notices that under this Act are required to be sent to an owner or mortgagee.*

*(2) An owner or mortgagee shall from time to time in like manner notify the Registrar of any change in the owner's or mortgagee's address.*

*(3) Notwithstanding subsection (1), the Registrar may proceed without a memorandum of address.*

**(16) Section 45 is repealed and the following is substituted:**

**Names and addresses on documents**

**45(1)** A document to be entered into the register must disclose

- (a) in the case of an individual, the surname and at least one full given name of a party to the document, and
- (b) a physical, post office or electronic address of a party named in the document that the Registrar deems sufficient for the purpose of giving notice to that party.

**(2)** The Registrar may refuse to enter a document into the register until

- (a) a request for registration or filing is presented to the Registrar with all the information the Registrar requires, or
- (b) the request is changed to contain the information the Registrar requires.

**NOTE:** (16) Section 45 presently reads:

*45 If a document is presented to the Registrar for registration and does not disclose, in respect of any person who is a party to the document, whether or not the person signed it, or who issued or is affected by the document,*

- (a) the person's surname and at least one given name in full, in the case of a natural person, and*
- (b) an address giving the municipal number and the street or avenue, if any, or an address that is in the opinion of*

*the Registrar sufficient for the purpose of giving notice by mail to that person,*

*the Registrar may refuse registration of the document until either the document is changed to contain the information required by the Registrar or there is furnished to the Registrar a memorandum by or on behalf of the person presenting the document for registration setting out the information required by the Registrar.*

**(17) Section 49(4) is amended**

- (a) by striking out** “filed with the Registrar”;
- (b) in clause (a) by striking out** “a discharge” **and substituting** “a request for registration of a discharge submitted to the Registrar”;
- (c) in clause (b)**
  - (i) in subclause (ii)**
    - (A) by striking out** “pursuant to” **and substituting** “under”;
    - (B) by striking out** “to discharge” **and substituting** “to submit a discharge of”;
  - (ii) in subclause (iii) by striking out** “to effect” **and substituting** “to register”.

**NOTE:** (17) Section 49(4) presently reads in part:

*(4) Where there is filed with the Registrar*

*(a) a discharge in respect of an agreement for a unit operation that*

*(b) an affidavit of the unit operator stating*

*(ii) that the unit operator has the authority pursuant to the agreement or a collateral agreement to discharge the agreement in respect of the land specified in the discharge, and*

(iii) *that the unit operator has given notice of the intention to effect a discharge to the parties that will be affected by the discharge,*

*the Registrar shall, in accordance with the discharge, cancel the registration of the agreement for the unit operation in respect of the land specified in the discharge.*

**(18) Section 50 is repealed and the following is substituted:**

**Formalities in request for registration or filing**

**50(1)** The Registrar may determine whether or not a request for registration or filing presented to the Registrar substantially conforms with the requirements of this Act, including by requesting to review a copy of the instrument or caveat and any other required documents to which the request relates, and may refuse to register or file an instrument or caveat that the Registrar decides for any reason is unfit for registration or filing.

**(2)** When a request for registration or filing is presented to the Registrar subject to a condition, the Registrar shall refuse to register or file the instrument or caveat if the condition is not satisfied at the time the instrument or caveat would otherwise be registered or filed.

**NOTE:** (18) Section 50 presently reads:

*50(1) The Registrar may decide whether any instrument or caveat presented to the Registrar for registration is substantially in conformity with the proper prescribed form or not and may reject any instrument or caveat that the Registrar decides for any reason to be unfit for registration.*

*(2) When an instrument or caveat is presented to the Registrar for registration subject to any condition, the Registrar shall reject the instrument or caveat for registration if the condition is not satisfied at the time the instrument or caveat would otherwise be registered.*

**(19) Section 50.1(1) and (2) are amended by adding “or file, as applicable,” after “register”.**

**NOTE:** (19) Section 50.1 presently reads:

*50.1(1) The Registrar may refuse to register a transfer, mortgage, encumbrance, caveat, lease or other instrument if for any reason it appears to the Registrar that the transaction may involve fraud.*

*(2) Without limiting subsection (1), the Registrar may refuse to register a transfer, mortgage, encumbrance, caveat, lease or other instrument if a person whose name appears on the instrument, or a person acting or purporting to act for a person whose name appears on the instrument, fails or refuses to produce identification documents in accordance with section 43.1 that in the opinion of the Registrar are sufficient to establish the identity of the person.*

**(20) Section 53 is amended by striking out** “in the manner hereinbefore prescribed”.

**NOTE:** (20) Section 53 presently reads:

*53 After a certificate of title has been granted for any land, no instrument is effectual to pass any estate or interest in that land (except a leasehold interest for 3 years or for a less period) or to render that land liable as security for the payment of money, unless the instrument is executed in accordance with this Act and is registered under this Act, but on the registration of any such instrument in the manner hereinbefore prescribed the estate or interest specified in the instrument passes or, as the case may be, the land becomes liable as security in manner and subject to the covenants, conditions and contingencies set out and specified in the instrument or by this Act declared to be implied in instruments of a like nature.*

**(21) The heading preceding section 56.1 is amended by striking out “Submission,”.**

**NOTE:** (21) The heading preceding section 56.1 presently reads:

*Electronic Submission, Filing  
and Registration*

**(22) Sections 56.1 to 56.4 are repealed.**

**NOTE:** (22) Sections 56.1 to 56.4 presently read:

*56.1(1) For the purposes of sections 56.11 to 56.7 and section 213,*

- (a) “certification authority” means a certification authority designated by the Registrar under section 56.41;*
- (b) “digital signature” means a secure signature in electronic format;*
- (d) “other document” means any document, other than a submission form, instrument, plan or caveat, that is required or permitted to be filed or registered in the Land Titles Office under this Act or any other enactment;*
- (f) “submission form” means an electronic document satisfactory to the Registrar that includes the digital signature of the subscriber;*
- (g) “subscriber” means an individual who is authorized by a certificate issued under section 56.51 to incorporate the individual’s digital signature into a submission form and to submit the submission form to the Registrar.*

*56.11 Subject to this Act and the regulations, the Registrar may register or file instruments, plans, caveats and other documents created or signed electronically, or both, and these instruments, plans, caveats and other documents shall not be unenforceable, ineffective or invalid solely by virtue of the fact that they were created or signed electronically, or both.*

*56.12 The Registrar may establish policies respecting*

- (a) *the submission of instruments, plans, caveats and other documents to the Registrar, including, without limitation,*
  - (i) *the contents and format of an instrument, plan, caveat or other document, and*
  - (ii) *the manner and method of preparation and submission of an instrument, plan, caveat or other document,*
- (b) *the classification of any instrument, plan, caveat or other document submitted electronically to the Registrar as an original or a copy,*
- (c) *the use of digital signatures and their incorporation into an instrument, plan, caveat or other document submitted to the Registrar, and*
- (d) *any matter prescribed by regulation for the purposes of this section.*

*56.13 The Registrar may establish policies respecting the eligibility of individuals to become a subscriber and*

- (a) *the contents and format of a submission form,*
- (b) *the manner and method of preparation and submission of a submission form,*
- (c) *the use of digital signatures and their incorporation into a submission form, and*
- (d) *any matter prescribed by regulation for the purposes of this section.*

*56.14(1) The Regulations Act does not apply to a policy made under section 56.12 or 56.13.*

*(2) The policies established under section 56.12 or 56.13 must be made available to the public on a website designated by the Registrar and by any other means the Registrar considers appropriate.*

*(3) For greater certainty, if there is a conflict or inconsistency between the Registrar's policies established under section 56.12 or 56.13 and an enactment governing the creation,*

*registration or filing of an instrument, plan, caveat or other document, the requirements set out in the enactment prevail to the extent of the conflict or inconsistency.*

*56.2(1) An electronic instrument, plan, caveat or other document that is submitted to the Registrar must be accompanied by a submission form.*

*(2) A digital signature must be incorporated into an instrument, plan, caveat or other document in compliance with*

- (a) this Act and the regulations, and*
- (b) the Registrar's policies published under section 56.12.*

*56.21 A submission form must incorporate a digital signature in accordance with*

- (a) this Act,*
- (b) the Registrar's policies published under section 56.13, and*
- (c) the approved certification practice statement of the certification authority that issued the subscriber a certificate under section 56.51, as applicable.*

*56.31(1) On receiving a submission form, the Registrar may require a subscriber to produce any information that the Registrar considers necessary to ensure that the instruments, plans, caveats and other documents received by the Land Titles Office are valid and accurate.*

*(2) The Registrar may refuse to accept, register or file an instrument, plan, caveat or other document submitted electronically if the subscriber does not produce the information required by the Registrar.*

*56.4(2) A copy of a submission form, instrument, plan, caveat or other document that is*

- (a) obtained from the records of the Land Titles Office, and*
- (b) certified by the Registrar as being an accurate representation of the original of the submission form, instrument, plan, caveat or other document*

*is, in the absence of evidence to the contrary, conclusive evidence of the original and is admissible in a court to the same extent as the original.*

*(3) A certification of the Registrar referred to in subsection (2) is conclusive evidence that*

*(a) the technology and procedure used by the Registrar to receive, store, retrieve and copy the submission form, instrument, plan, caveat or other document is capable of recording and reproducing all significant details of the submission form, instrument, plan, caveat or other document without any additions, deletions, omissions or changes, and*

*(b) the submission form, instrument, plan, caveat or other document was received, stored, retrieved and copied by the Registrar in the usual and ordinary course of business.*

**(23) Section 56.41(1.1)(c) is amended by striking out “subscribers” and substituting “authorized users”.**

**NOTE:** (23) Section 56.41(1.1)(c) presently reads:

*(1.1) Before designating a person as a certification authority, the Registrar may require the person to satisfy the Registrar that*

*(c) the subscribers named in certificates issued by the person will be required to observe and comply with the certification practice statement referred to in clause (a).*

**(24) Section 56.5 is amended**

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

**(i) in clause (a) by striking out “a subscriber” and substituting “an authorized user”;**

**(ii) in clause (b)(iii) by striking out “subscribers” and substituting “authorized users”;**

**(iii) in clause (c)**

**(A) by striking out “a subscriber” and substituting “an authorized user”;**

**(B) by striking out “subscriber’s” and substituting “authorized user’s”;**

**(b) in subsection (2)(a) by striking out “policies” and substituting “rules”.**

**NOTE:** (24) Section 56.5 presently reads in part:

*56.5(1) A certification practice statement must contain*

*(a) a statement of the qualifications for eligibility to become a subscriber,*

*(b) a description of the policies, practices and procedures to be used by the certification authority in*

*(iii) establishing and maintaining the security and validity of digital signatures of subscribers,*

*(c) a description of the practices and procedures that a subscriber must follow, including, without limitation, practices and procedures to ensure the security and validity of that subscriber’s digital signature, and*

*(2) The Registrar may require a certification authority to make changes to an approved certification practice statement to address*

*(a) changes to the Registrar’s policies, practices and procedures, or*

**(25) Section 56.51 is amended**

**(a) in subsection (1) by striking out “into submission forms” and substituting “in requests for registration or filing”;**

**(b) in subsection (3)**

- (i) by striking out** “subscriber” **and substituting** “authorized user”;
  - (ii) by striking out** “the Registrar’s policies published under section 56.13” **and substituting** “the Registrar’s rules”;
- (c) in subsection (4) by striking out** “subscribers” **and substituting** “authorized users”.

**NOTE:** (25) Section 56.51 presently reads in part:

*56.51(1) The Registrar or a certification authority may issue a certificate to an individual to authorize the individual to incorporate the individual’s digital signature into submission forms.*

*(3) The Registrar or certification authority, as the case may be, may suspend or revoke a certificate issued under subsection (1) if the subscriber fails to comply with this Act, the Registrar’s policies published under section 56.13, the approved certification practice statement or other applicable standards, guidelines or policies.*

*(4) A certification authority shall maintain a directory of subscribers to whom the certification authority has issued a certificate.*

**(26) Section 56.6(b) is amended**

- (a) by striking out** “a subscriber” **and substituting** “an authorized user”;
- (b) by striking out** “the Registrar’s policies published under section 56.13” **and substituting** “the Registrar’s rules”.

**NOTE:** (26) Section 56.6(b) presently reads:

*56.6 The issuance of a certificate by a certification authority constitutes a warranty by the certification authority that*

- (b) the individual to whom the certificate was issued is eligible to be a subscriber under the requirements set*

*out in the approved certification practice statement and the Registrar's policies published under section 56.13,*

**(27) Section 56.61 is amended by striking out “a subscriber” and substituting “an authorized user”.**

**NOTE:** (27) Section 56.61 presently reads:

*56.61 No action lies and no proceeding may be brought against a certification authority in respect of any loss or damage arising out of an unlawful or negligent act or omission of a subscriber under this Act or the regulations in the absence of an unlawful or negligent act or omission by the certification authority in relation to the exercise of its powers or performance of its duties under this Act or the regulations.*

**(28) Section 56.7(a) and (b) are repealed and the following is substituted:**

- (a) incorporates the person's digital signature into a request for registration or filing, an instrument or a caveat without first complying with the requirements of this Act, the regulations and the Registrar's rules, or
- (b) incorporates the digital signature of another person into a request for registration or filing, an instrument or a caveat

**NOTE:** (28) Section 56.7 presently reads:

*56.7 A person who*

- (a) incorporates the person's digital signature into a submission form, instrument, plan, caveat or other document without first complying with the requirements of this Act, the regulations or the Registrar's policies published under section 56.12 or 56.13, or*
- (b) incorporates the digital signature of another person into a submission form, instrument, plan, caveat or other document*

*is guilty of an offence and subject to a fine of not more than \$10 000 or imprisonment for a term of not more than 6 months.*

**(29) Section 64(1) and (2) are amended by striking out “in the prescribed form”.**

**NOTE:** (29) Section 64(1) and (2) presently read:

*64(1) When land for which a certificate of title has been granted is intended to be transferred, the owner may execute a transfer in the prescribed form.*

*(2) When land for which a certificate of title has been granted is intended to be made subject to a right of way or other easement, the registered owner may execute an instrument granting the easement or right of way in the prescribed form.*

**(30) Section 64.1 is amended**

- (a) in subsection (4) by striking out “accept the instrument for registration” and substituting “register the instrument”;**
- (b) in subsection (4.1)(c) by striking out the portion preceding subclause (i) and substituting the following:**
- (c) the transferee provides to the Registrar a request for registration of the instrument and an affidavit by the transferee or an agent of the transferee verifying that

**NOTE:** (30) Section 64.1 presently reads in part:

*(4) If the Registrar does not accept the instrument for registration, the Registrar shall return the levy to the transferee.*

*(4.1) Subject to section 64.3, subsection (1)(b) does not apply to a transferee named in an instrument described in that subsection if*

- (c) the transferee provides to the Registrar, together with the instrument for registration, an affidavit by the*

*transferee or an agent of the transferee, in the prescribed form, verifying that*

**(31) Section 66(1) is amended by striking out “in the prescribed form or to the like effect” and substituting “that is in the proper form and fit for registration”.**

**NOTE:** (31) Section 66(1) presently reads:

*66(1) When land for which a certificate of title has been granted to the Crown in right of Alberta is intended to be transferred, or any right of way or other easement is intended to be created or transferred, a Minister of the Crown or any person authorized by statute or by order in council to do so may execute a transfer in the prescribed form or to the like effect.*

**(32) Section 73(1) is amended by striking out “production of a discharge in the prescribed form” and substituting “submission of a request for registration in the proper form of a discharge that is in the proper form and fit for registration”.**

**NOTE:** (32) Section 73(1) presently reads:

*73(1) The Registrar shall cancel the registration in whole or in part of an easement, a restrictive covenant, a party wall agreement or an encroachment agreement on production of a discharge in the prescribed form signed by the registered owner of the dominant tenement.*

**(33) Section 77(1) is amended by adding “and” at the end of clause (b), by striking out “and” at the end of clause (c) and by repealing clause (d).**

**NOTE:** (33) Section 77(1) presently reads in part:

*77(1) A plan of survey shall not be registered unless the plan of survey*

*(b) is prepared*

- (i) *to the satisfaction of the Registrar, so that it contains the information and details that the Registrar considers appropriate, and*
- (ii) *on a medium or material or in a digital format approved by the Registrar,*
- (c) *states the purpose of the survey, and*
- (d) *is certified in the prescribed form.*

**(34) Section 85(3) is amended by striking out** “in the prescribed form”.

**NOTE:** (34) Section 85(3) presently reads:

*(3) A person whose signature is required on a plan under subsection (1) may, instead of signing the plan, sign a consent in the prescribed form.*

**(35) Section 95(1) is amended by striking out** “, in the prescribed form”.

**NOTE:** (35) Section 95(1) presently reads:

*95(1) When land for which a certificate of title has been granted is intended to be leased or demised for a life or lives, or for a term of more than 3 years, the owner shall execute a lease, in the prescribed form.*

**(36) Section 98 is amended**

- (a) **by striking out** “determines” **and substituting** “is terminated”;
- (b) **by striking out** “if delivered up to the Registrar for that purpose” **and substituting** “if a request for registration or filing in the proper form of the cancellation of the lease is submitted to the Registrar for that purpose and the cancellation is in the proper form and fit for registration”.

**NOTE:** (36) Section 98 presently reads:

*98 The Registrar, on proof to the Registrar's satisfaction of lawful re-entry and recovery of possession pursuant to section 97(b) by a lessor, or the lessor's transferee by a legal proceeding, shall make a memorandum of the fact on the certificate of title and, on so doing, the estate of the lessee in the land determines and the Registrar shall cancel the lease if delivered up to the Registrar for that purpose, but the lessee is not hereby released from the lessee's liability in respect of the breach of any covenant in the lease, expressed or implied.*

**(37) Section 100(1) is amended by striking out** “on the production to the Registrar of the surrender in the prescribed form” **and substituting** “on the receipt of a request for registration or filing in the proper form of the surrender that is in the proper form and fit for registration”.

**NOTE:** (37) Section 100(1) presently reads:

*100(1) When a lease or demise required to be registered by this Act is intended to be surrendered and its surrender is effected otherwise than through the operation of a surrender in law, the Registrar shall, on the production to the Registrar of the surrender in the prescribed form, make a memorandum of the surrender on the certificate of title in the register.*

**(38) Section 101(4) is amended by striking out** “on the production to the Registrar of a discharge executed by the lessee certifying that” **and substituting** “on the receipt of a request for registration or filing in the proper form of a discharge that is in the proper form and fit for registration that certifies that”.

**NOTE:** (38) Section 101(4) presently reads:

*(4) The Registrar shall cancel the registration of a lease or demise on the production to the Registrar of a discharge executed by the lessee certifying that*

*(a) the term of the lease or demise has expired, and*

*(b) the lessee is no longer in possession.*

**(39) Section 102(1)(a) and (b) are amended by striking out** “in the prescribed form, or to the like effect” **and substituting** “that is in the proper form and fit for registration”.

**NOTE:** (39) Section 102(1) presently reads:

*102(1) When land for which a certificate of title has been granted is intended*

- (a) to be charged or made security in favour of a mortgagee, the mortgagor shall execute a mortgage in the prescribed form, or to the like effect, or*
- (b) to be charged with or made security for the payment of an annuity, rent charge or sum of money in favour of any encumbrancee, the encumbrancer shall execute an encumbrance in the prescribed form, or to the like effect.*

**(40) Section 102.1 is amended**

- (a) in subsection (1) by striking out** “for registration” **and substituting** “for filing or registration”;
- (b) in subsection (4)(c) by striking out** “is being registered” **and substituting** “is being filed or registered, as applicable,”;
- (c) in subsection (5) by striking out** “for registration” **and substituting** “for filing or registration, as applicable,”;
- (d) in subsection (8) by striking out** “for registration” **and substituting** “for filing or registration, as applicable”.

**NOTE:** (40) Section 102.1 presently reads in part:

*102.1(1) Subject to subsection (9) and sections 102.2 and 102.3, the following shall pay to the Registrar a levy, as provided in this section, for registration of the caveat or mortgage, as applicable:*

- (4) If the caveat or mortgage meets any of the following conditions and the caveator or mortgagee is the same person as the mortgagee or transferee named in a subsisting registered*

*mortgage or caveated mortgage, the levy set out in subsection (5) applies:*

*(c) the caveat or mortgage is being registered against the certificate of title to one parcel or unit, as defined in the Condominium Property Act, as a partial replacement for the subsisting registered mortgage or caveated mortgage and the subsisting registered mortgage or caveated mortgage is registered against the certificates of title to more than one parcel or unit, as defined in the Condominium Property Act.*

*(5) The levy for registration of a caveat or mortgage described in subsection (4) is an amount equal to \$50 plus \$5 for each \$5000 or portion thereof of the following, as applicable:*

*(8) If the Registrar does not accept any of the following for registration, the Registrar shall return the levy to the caveator or mortgagor, as applicable:*

**(41) Section 106(1)(a) is amended**

**(a) by striking out the portion preceding subclause (i) and substituting the following:**

(a) on the receipt by the Registrar of a request for registration or filing of a discharge signed by the mortgagee or encumbrancee that complies with the requirements of this Act, but

**(b) in subclauses (i) and (ii) by striking out “if the discharge” and substituting “if the request for registration or filing of the discharge”.**

**NOTE:** (41) Section 106(1)(a) presently reads:

*106(1) The Registrar shall discharge a mortgage or an encumbrance wholly or in part, or the land comprised in it wholly or in part, according to the tenor of the discharge, and shall make an entry of the discharge on the certificate of title affected by the discharge, in any of the following cases:*

*(a) on the production to the Registrar of a discharge in the prescribed form signed by the mortgagee or*

*encumbrancee and accompanied with the proper affidavit of execution, but*

- (i) *when it is expressly stated in a mortgage or encumbrance to 2 or more mortgagees or encumbrancees that the money has been advanced on a joint account, it is sufficient if the discharge of the mortgage or encumbrance is signed by any one of the mortgagees or encumbrancees, or*
- (ii) *when it is expressly stated in a mortgage or encumbrance that the mortgage or encumbrance is held in joint tenancy by 2 or more mortgagees or encumbrancees, it is sufficient, on the death of a joint tenant, if the discharge of the mortgage or encumbrance is signed by the surviving mortgagees or encumbrancees;*

**(42) Section 107(1) is amended by striking out “filing a postponement in the prescribed form” and substituting “requesting the filing of a postponement”.**

**NOTE:** (42) Section 107(1) presently reads:

*107(1) A person entitled to the benefit of a mortgage, encumbrance, lease or other instrument or a caveat registered against land may postpone the person’s rights under it by filing a postponement in the prescribed form.*

**(43) Section 109 is amended**

- (a) in subsection (1) by striking out “in the prescribed form and the transfer” and substituting “that”;**
- (b) in subsection (2) by striking out “in the prescribed form”.**

**NOTE:** (43) Section 109 presently reads:

*109(1) Mortgages, encumbrances and leases of land for which a certificate of title has been granted may be transferred by a transfer in the prescribed form and the transfer shall be*

*registered in the same manner as mortgages, encumbrances and leases are registered, and transferees have priority according to section 14.*

*(2) Any mortgagee may transfer a part of the sum secured by the mortgage by a transfer in the prescribed form, and the part so transferred continues to be secured by the mortgage and may be given priority over the remaining part or may be deferred or may continue to rank equally with it under the security of the original mortgage, as stated in the transfer, and the Registrar shall enter on the certificate of title a memorandum of the amount of the mortgage so transferred, the name of the transferee, and how the sum so transferred is to rank.*

**(44) Section 113 is amended**

- (a) in subsection (3)(a) by striking out “a copy of”;**
- (b) in subsection (4)**
  - (i) by striking out “a copy of”;**
  - (ii) by striking out “the copy” and substituting “the mortgage”.**

**NOTE:** (44) Section 113 presently reads in part:

*(3) Once the Registrar considers that the form and terms of the standard form mortgage are acceptable, the Registrar*

*(a) may file a copy of the standard form mortgage, and*

*(4) When a copy of a standard form mortgage is filed under subsection (3), the Registrar shall give the copy an identifying number or other identifying mark.*

**(45) Section 115 is amended**

- (a) in subsection (1)**
  - (i) by striking out “in the prescribed form, or as near to it as circumstances permit, or”;**

- (ii) **by striking out** “heretofore” **and substituting** “previously”;
- (b) **in subsection (4) by striking out** “in the prescribed form”;
- (c) **in subsection (6)(b) by striking out** “to accept” **and substituting** “to register or file”.

**NOTE:** (45) Section 115 presently reads in part:

*115(1) The owner of land may authorize and appoint any person to act for the owner or on the owner’s behalf with respect to the transfer or other dealing with the land or with any part of it, in accordance with this Act, by executing a power of attorney in the prescribed form, or as near to it as circumstances permit, or in any form heretofore in use for the like purpose in which the land is not specially mentioned and described but is mentioned and referred to in general terms and the Registrar shall register any such power of attorney.*

*(4) The power of attorney may be revoked by a revocation in the prescribed form and, after the registration of a revocation of a power of attorney, the Registrar shall not register any transfer or other instrument made under the power of attorney unless the transfer or other instrument was executed prior to the revocation.*

*(6) A certificate registered under subsection (5)*

*(b) is sufficient authority for the Registrar to accept an instrument that is executed by the attorney for a purpose specified in the power of attorney, and*

**(46) Section 116 is amended**

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

**(2)** Subject to subsection (2.1), the personal representative or someone on behalf of the personal representative must request a transmission of title before the personal representative may deal with the land.

**(2.1)** The personal representative shall obtain probate of the will of the deceased owner, letters of administration or an order of the

court authorizing the personal representative to administer the estate of the deceased owner before submitting a request for transmission of title.

- (b) in subsection (4) by striking out** “On the registration of the application” **and substituting** “On the Registrar’s acceptance of a request referred to in subsection (2)”.

**NOTE:** (46) Section 116 presently reads in part:

*(2) The personal representative before dealing with the land shall apply in writing, executed by the personal representative or the personal representative’s solicitor, to the Registrar to be registered as owner and shall produce to and leave with the Registrar the probate of the will of the deceased owner, or letters of administration, or order of the court authorizing the personal representative to administer the estate of the deceased owner, or a certified copy of the probate, letters of administration or order, as the case may be.*

*(4) On the registration of the application,*

- (a) the Registrar shall cancel the certificate of title that is in the name of the deceased owner and grant to the executor or administrator, in the capacity as the executor or administrator, a new certificate of title, and*
- (b) the executor or administrator, as the case may be, is deemed to be the owner of the land.*

**(47) Section 117(1) is amended by striking out** “accompanied with an application in writing from the executor, administrator or other person applying to be registered as owner in respect of the estate or interest,”.

**NOTE:** (47) Section 117(1) presently reads:

*117(1) When an estate or interest in land for which a certificate of title has been granted is transmitted in consequence of the will or intestacy of the deceased owner,*

- (a) the probate of the will of the deceased owner,*

- (b) *the letters of administration,*
- (c) *the order of the court authorizing a person to administer the estate of the deceased owner, or*
- (d) *a certified copy of the probate, letters of administration or order, as the case may be,*

*accompanied with an application in writing from the executor, administrator or other person applying to be registered as owner in respect of the estate or interest, shall be filed with the Registrar, who shall at the time of filing make a memorandum on the certificate of title.*

**(48) Section 120(1) is amended**

**(a) by repealing clauses (b) and (c) and substituting the following:**

- (b) in cases where minors are interested, the consent of the Public Trustee to the proposed dealing has been obtained,
- (c) an order of a judge of a court of competent jurisdiction authorizes the proposed dealing, or

**(b) in clause (d)**

- (i) **by striking out** “the instrument to be registered is accompanied with an affidavit made” **and substituting** “an affidavit is made”;
- (ii) **by adding** “stating” **after** “knowledge”.

**NOTE:** (48) Section 120(1) presently reads in part:

*120(1) The Registrar shall not register a transfer, mortgage or other instrument executed by an executor, administrator or trustee under a will except an application for transmission or a caveat or a discharge of mortgage, unless*

- (b) *in cases where minors are interested, the instrument to be registered is accompanied with the consent of the Public Trustee to the proposed dealing,*

- (c) *the instrument to be registered is accompanied with an order of a judge of a court of competent jurisdiction, authorizing the proposed dealing, or*
- (d) *the instrument to be registered is accompanied with an affidavit made by the deponent of the deponent's own knowledge that there are no minors who are interested in the estate of the deceased owner, nor were there any minors interested in the estate of the deceased owner at the time of the owner's death.*

**(49) Section 121 is amended by striking out** “accompanied with any documentation and other information” **and substituting** “containing the information, including any documentation,”.

**NOTE:** (49) Section 121 presently reads:

*121 When*

- (a) *an estate or interest in land for which a certificate of title has been granted is in the name of joint tenants, and*
- (b) *a joint tenant of that estate or interest dies,*

*the Registrar, on application in writing accompanied with any documentation and other information that is requested by or that is otherwise satisfactory to the Registrar, shall cancel the certificate of title and grant a new certificate of title in the name of the surviving joint tenant.*

**(50) Section 122 is amended**

- (a) **in subsection (2) by striking out** “that is presented to the Registrar” **and substituting** “to be registered or filed”;
- (b) **by repealing subsections (3) and (4) and substituting the following:**
  - (3) An instrument to be registered or filed shall set out the land in which the debtor has an interest and the nature of the debtor's interest in the land.

(4) The Registrar shall register or file an instrument that meets the requirements of this Act and endorse a memorandum of the instrument on the certificate of title to the land specified by the creditor.

(c) **in subsection (5) by striking out “**, on providing to the Registrar a statement referred to in subsection (3), require” **and substituting “request”;**

(d) **in subsection (6) by striking out “shall forthwith send by mail addressed” and substituting “shall, as soon as practicable, send”.**

**NOTE:** (50) Section 122 presently reads in part:

*(2) Notwithstanding this or any other Act, no instrument that is presented to the Registrar shall charge or have any binding effect on any land in which the debtor has an interest unless a memorandum of the instrument has been endorsed on the certificate of title for that land.*

*(3) A person presenting to the Registrar an instrument for registration shall provide to the Registrar a statement in the prescribed form setting out the land in which the debtor has an interest and the debtor’s interest in the land.*

*(4) When the Registrar*

*(a) accepts an instrument for registration, and*

*(b) is provided with a statement referred to in subsection (3),*

*the Registrar shall register the instrument and endorse a memorandum of the instrument on the certificate of title to the land specified by the creditor.*

*(5) At any time after the registration of an instrument under subsection (4), the creditor may, on providing to the Registrar a statement referred to in subsection (3), require the Registrar to endorse a memorandum of the instrument on the certificate of title for other land in which the debtor has an interest.*

*(6) On making a memorandum on a certificate of title under subsection (4) or (5), the Registrar shall forthwith send by mail addressed to*

- (a) *the registered owner of the land at the address stated on the certificate of title, and*
- (b) *the debtor, if the debtor is not the registered owner of the land, at the address provided by the creditor,*

*a notice of the instrument and of the debtor's interest in the land.*

**(51) Section 123(2) is amended**

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

**NOTE:** (51) Section 123(2) presently reads:

*(2) Every instrument registered against any land shall be lapsed by the Registrar on application made to the Registrar after the expiration of 60 days after notice, in the prescribed form, to take proceedings in court has been either*

- (a) served on the creditor as process is usually served, or*
- (b) sent by registered mail to the creditor at or to the address stated in the instrument or, if a notice of change of address for service has been filed with the Registrar, then at or to the address stated in the last notice of change of address for service filed in the Land Titles Office,*

*unless the creditor takes proceedings in court by application, subject to the Alberta Rules of Court, to substantiate the interest claimed by the creditor and a certificate of lis pendens in the prescribed form has been filed with the Registrar.*

**(52) Section 125 is repealed and the following is substituted:**

**Discharge of writ**

**125** The Registrar shall discharge a writ against all or a portion of the land bound by the writ

- (a) on production to the Registrar of a judge's order directing the discharge of the writ against all or a portion of the land,
- (b) on production to the Registrar of evidence from the clerk of the court showing the expiration, satisfaction or withdrawal of the writ, or
- (c) in accordance with a request for registration or filing of a discharge executed by the enforcement creditor.

**NOTE:** (52) Section 125 presently reads:

*125 The Registrar shall discharge a writ against all or a portion of the land bound by the writ on production to the Registrar of*

- (a) a judge's order directing the discharge of the writ against all or a portion of the land,*
- (b) evidence from the clerk of the court showing the expiration, satisfaction or withdrawal of the writ, or*
- (c) a discharge executed by the enforcement creditor.*

**(53) Section 126 is amended**

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

**Change of name of married person or adult interdependent partner**

**126(1)** Subject to subsection (1.1), when a married person or adult interdependent partner who is the owner of an interest in land adopts the surname of the spouse or adult interdependent partner, the Registrar may make a memorandum of the change of name on the appropriate certificate of title.

**(1.1)** The married person or adult interdependent partner, or the person's or partner's agent, must confirm to the Registrar in a request for registration or filing

- (a) the execution of an affidavit by the married person or adult interdependent partner specifying

- (i) the date of the marriage or the existence of an adult interdependent relationship,
  - (ii) the place where the marriage was solemnized, if applicable, and
  - (iii) the spouse's or adult interdependent partner's full name,
- and
- (b) the existence of a certificate of marriage or an agreement made under section 7 of the *Adult Interdependent Relationships Act*, if applicable, or any other evidence or documentation that the Registrar may require to substantiate the identity of the spouse or adult interdependent partner.
- (b) in subsection (2) by striking out** “on production of evidence referred to in subsection (3)” **and substituting** “if the requirements of subsection (3) are met”;
- (c) in subsection (3)**
- (i) **by striking out** “The following evidence may be provided in respect of a person referred to in subsection (2)” **and substituting** “A request for registration or filing of a change of name may be based on the following”;
  - (ii) **in clause (a) by striking out** “verifying” **and substituting** “specifying”;
  - (iii) **in clause (b) by adding** “or documentation” **after** “evidence”.

**NOTE:** (53) Section 126 presently reads in part:

*126(1) When a married person or adult interdependent partner who is the owner of an interest in land adopts the surname of the spouse or adult interdependent partner, the Registrar may make a memorandum of the change of name on the appropriate certificate of title on production of*

*(a) an affidavit by that person verifying*

- (i) *the date of the marriage or the existence of an adult interdependent relationship,*
- (ii) *the place where the marriage was solemnized, if applicable, and*
- (iii) *the spouse's or adult interdependent partner's full name,*

*and*

- (b) *a certificate of marriage or an agreement made under section 7 of the Adult Interdependent Relationships Act, if applicable, or any other evidence that the Registrar may require to substantiate the identity of that person.*

*(2) When an interest in land is registered in the name of a person under the surname of that person's spouse or former spouse or adult interdependent partner or former adult interdependent partner and that person now uses*

- (a) *that person's original surname,*
- (b) *a hyphenated surname that incorporates that person's original surname and the surname of that person's spouse or former spouse or adult interdependent partner or former adult interdependent partner, or*
- (c) *the surname of a spouse or adult interdependent partner from a previous marriage or adult interdependent relationship,*

*the Registrar may make a memorandum of the change of name on the appropriate certificate of title on production of evidence referred to in subsection (3).*

*(3) The following evidence may be provided in respect of a person referred to in subsection (2):*

- (a) *an affidavit by that person verifying the surname now used by that person, and*
- (b) *any other evidence that the Registrar may require to substantiate the identity of that person.*

**(54) Section 127(b) is amended by striking out** “provides to the Registrar” **and substituting** “submits a request for registration or filing based on”.

**NOTE:** (54) Section 127(b) presently reads:

*127 When a person who is the owner of an interest in land*

*(b) provides to the Registrar documentation that is satisfactory to the Registrar showing that the person’s name was changed under that statute or other legislation and setting out that person’s name as changed,*

*the Registrar may make a memorandum of the change of name on the appropriate certificate of title.*

**(55) Section 130 is amended**

- (a) in clause (a) by striking out** “pursuant to” **and substituting** “under”;
- (b) by striking out** “in the prescribed form”.

**NOTE:** (55) Section 130 presently reads in part:

*130 A person claiming to be interested in land for which a certificate of title has been issued or in a mortgage or encumbrance relating to that land*

*(a) pursuant to*

*(i) a will, settlement or trust deed,*

*may cause to be filed with the Registrar a caveat on the person’s behalf in the prescribed form against the registration of any person as transferee or owner of, or any instrument affecting, the estate or interest, unless the certificate of title is expressed to be subject to the claim of the caveator.*

**(56) Section 131 is amended**

- (a) in subsection (1) by striking out** “as provided, shall in this Act” **and substituting** “in accordance with this Act,”;
- (b) in subsection (2)**
  - (i) by striking out** “as provided, shall in this Act” **and substituting** “in accordance with this Act, shall”;
  - (ii) by striking out** “and the affidavit may be in the prescribed form”.

**NOTE:** (56) Section 131 presently reads:

*131(1) Every caveat filed with the Registrar shall state the name and addition of the person by whom or on whose behalf it is filed and, except in the case of a caveat filed by the Registrar as provided, shall in this Act be signed by the caveator or the caveator’s agent and shall state some address or place at which notices and proceedings relating to the caveat or the subject-matter of the caveat may be served and the nature of the interest claimed and the grounds on which the claim is founded.*

*(2) Every caveat, except in the case of a caveat filed by the Registrar as provided, shall in this Act be supported by an affidavit*

- (a) that in the belief of the deponent the person by whom or on whose behalf the caveat is filed has a good and valid claim in respect of the land, mortgage or encumbrance intended to be affected by it, and*
- (b) that the caveat is not filed for the purpose of delaying or embarrassing the applicant, or owner, or any person claiming through the applicant or owner,*

*and the affidavit may be in the prescribed form.*

**(57) Section 132(2) is amended by striking out** “, in the prescribed form or to the like effect, and the Registrar’s proper fee” **and substituting** “and the Registrar’s fee”.

**NOTE:** (57) Section 132(2) presently reads:

*(2) On receipt of a notice of change of address for service, in the prescribed form or to the like effect, and the Registrar's proper fee, the Registrar shall enter the notice in the record and shall make a memorandum of it on the certificate of title affected by the caveat.*

**(58) Section 134 is amended**

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

**(i) by striking out "registration" and substituting "filing";**

**(ii) in clause (b)**

**(A) by striking out "forthwith" and substituting "as soon as practicable";**

**(B) by striking out "by mail addressed";**

**(C) by striking out "registered" and substituting "filed";**

**(b) in subsection (2) by striking out "registered" and substituting "filed".**

**NOTE:** (58) Section 134 presently reads in part:

*134(1) When the Registrar accepts a caveat for registration, the Registrar shall*

*(b) forthwith send notice of the caveat and of the interest claimed under it by mail addressed to the person against whose title the caveat is registered.*

*(2) No caveat may be registered that affects land for which no certificate of title has been issued.*

**(59) Section 138(1) is amended**

**(a) by striking out " , in the prescribed form,";**

**(b) by striking out** “in the prescribed form”.

**NOTE:** (59) Section 138(1) presently reads:

*138(1) Except as otherwise provided in this section and except in the case of a caveat lodged by the Registrar, as provided in this Act, every caveat lodged against any land, mortgage or encumbrance shall be lapsed by the Registrar on application made after the expiration of 60 days after notice, in the prescribed form, to take proceedings in court on the caveator’s caveat has been either*

- (a) served as process is usually served, or*
- (b) sent by registered mail to the caveator at or to the address stated in the caveat or, if a notice of change of address for service has been filed with the Registrar, then at or to the address stated in the last notice of change of address for service filed in the Land Titles Office,*

*unless the caveator takes proceedings in court by application, subject to the Alberta Rules of Court, to substantiate the title, estate, interest or lien claimed by the caveator’s caveat and a certificate of lis pendens in the prescribed form has been filed with the Registrar.*

**(60) Section 141(2) is amended**

- (a) by striking out** “pursuant to” **and substituting** “under”;
- (b) in clause (a) by striking out** “the production of” **and substituting** “the submission of”;
- (c) in clause (b) by striking out** “production of” **and substituting** “the submission of”.

**NOTE:** (60) Section 141(2) presently reads:

*(2) If a caveat has been filed with the Registrar pursuant to section 130 and the caveat is based on an unregistered mortgage or encumbrance, the Registrar shall cancel the memorandum of it*

- (a) *on the certificate of title to the land affected by the caveat on the production of a certificate signed by a judge certifying that the judge is satisfied of the payment of all money secured by the mortgage or encumbrance and that the mortgagee or encumbrancee is living, or if dead, that no succession duty or other tax is payable to the Crown in right of Alberta with respect to the mortgage or encumbrance, or*
- (b) *on production of a certificate signed by a judge certifying that all obligations, the performance of which has been secured by the mortgage or encumbrance, have been performed and have come to an end.*

**(61) Section 148(1) and (2) are amended by striking out “in the prescribed form”.**

**NOTE:** (61) Section 148 presently reads:

*148(1) A person claiming an interest in any land, mortgage or encumbrance may, instead of filing a caveat or after filing a caveat, proceed by way of action to enforce the person's claim and register a certificate of lis pendens in the prescribed form.*

*(2) A person who has proceeded by way of action to call into question some title or interest in any land may register a certificate of lis pendens in the prescribed form.*

**(62) Section 151(2) is repealed and the following is substituted:**

**(2)** Notwithstanding section 14.1, on the execution of a caveat referred to in subsection (1), the Registrar shall file the caveat.

**NOTE:** (62) Section 151(2) presently reads:

*(2) Notwithstanding section 14.1, a caveat filed by the Registrar under subsection (1) must be registered as soon as it is filed.*

**(63) Section 152 is amended**

**(a) by repealing clause (b) and substituting the following:**

(b) a request for registration or filing of the withdrawal of the certificate of lis pendens where the withdrawal has been signed by the person on whose behalf the certificate was registered, or

**(b) in clause (c) by adding “request for registration or filing of the” after “an agent, a”.**

**NOTE:** (63) Section 152 presently reads in part:

*152 The Registrar shall cancel the registration of a certificate of lis pendens on receiving*

*(b) a withdrawal of the certificate of lis pendens signed by the person on whose behalf the certificate was registered, or*

*(c) where a certificate of lis pendens relates to a caveat that was signed by an attorney or an agent, a withdrawal of the certificate of lis pendens signed by*

**(64) Section 153(2) is amended by striking out “through the post office”.**

**NOTE:** (64) Section 153(2) presently reads:

*(2) The notice may be addressed to the registered owner of the land and sent through the post office to the person alleged in the claim to be the owner of the land and to the person for whom the work was or was proposed to be done, or the materials to be supplied, each at their respective residences as stated in the claim for lien.*

**(65) Section 155 is amended by striking out “in the prescribed form”.**

**NOTE:** (65) Section 155 presently reads:

*155 Subject to section 159, every instrument executed within the limits of Alberta and that may be registered under this Act shall be witnessed by a person, who shall sign the person's name to the instrument as a witness and make an affidavit in the prescribed form.*

**(66) Section 156 is amended**

- (a) by striking out “one person” and substituting “a person”;**
- (b) by striking out “in the prescribed form”.**

**NOTE:** (66) Section 156 presently reads in part:

*156 Subject to section 159, every instrument executed outside the limits of Alberta and that may be registered under this Act, shall be witnessed by one person, who shall sign the person's name to the instrument as a witness and who shall appear before one of the following persons and make an affidavit in the prescribed form:*

**(67) Section 161(b)(ii) is amended by striking out “verifies by affidavit in the prescribed form” and substituting “confirms by affidavit”.**

**NOTE:** (67) Section 161(b)(ii) presently reads:

*161 An instrument or caveat executed by a corporation, notwithstanding anything to the contrary in the Act, statute, constating documents, charter or memorandum and articles of association incorporating the corporation, is for the purposes of this Act deemed to be sufficiently executed if the instrument or caveat is*

- (b) executed by at least one officer or director of the corporation who*
  - (ii) verifies by affidavit in the prescribed form the officer's or director's authority to execute the instrument or caveat.*

**(68) Section 164 is amended**

**(a) by adding the following after subsection (1):**

**(1.1)** If the Registrar refuses to register or file an instrument or caveat because the request for registration or filing is incomplete, not in the proper form or the instrument or caveat referenced in the request is unfit for registration or filing, and the person subsequently seeks to register or file the same instrument or caveat, the Registrar may charge the person a fee for re-examination in accordance with the regulations.

**(b) in subsection (3) by striking out “may be in the prescribed form, and”;**

**(c) in subsection (8) by striking out “by registered mail”.**

**NOTE:** (68) Section 164 presently reads in part:

*(3) The oaths or affirmations may be in the prescribed form, and are necessary in all cases when a new certificate of title is required to be issued, whether or not any fees are payable under subsection (1)(b) or any levies are payable under section 64.1 or 102.1 in respect of the land.*

*(8) The Registrar may terminate an agreement under subsection (6) with any person on 7 days’ notice in writing sent by registered mail to the person at the person’s last address known to the Registrar.*

**(69) Section 179(3) is amended by striking out “in the prescribed form”.**

**NOTE:** (69) Section 179(3) presently reads:

*(3) The Registrar shall search and examine the register to ascertain as at the date of the purported disposition the ownership of the mines and minerals purporting to be dealt with by the disposition and the Registrar shall issue a mineral certificate in the prescribed form if the Registrar is satisfied that the purported ownership is correct.*

**(70) Section 185 is amended by striking out “, by a reference in the prescribed form,”.**

**NOTE:** (70) Section 185 presently reads in part:

*185 If a question arises with regard to the performance of any duty or function by this Act conferred or imposed on the Registrar, or if in the performance of any duty of the Registrar a question arises*

*(a) as to the true construction or legal validity or effect of any instrument or caveat,*

*the Registrar may, by a reference in the prescribed form, refer the question to a judge of the Court of King’s Bench, who may allow any of the parties interested to appear before the judge and summon any other of such persons to appear and show cause, either personally or by counsel, in relation to the question, and the judge, having regard to the persons appearing before the judge, whether summoned or not, shall decide the question or direct any proceedings to be instituted for that purpose and direct the particular form of entry or memorandum to be made that under the circumstances appears to be just.*

**(71) Section 186 is amended**

- (a) by striking out “pursuant to” and substituting “under”;**
- (b) by striking out “make a memorandum or endorsement” and substituting “make an endorsement”.**

**NOTE:** (71) Section 186 presently reads:

*186 In the case of any certificate of title or other instrument that, pursuant to section 61, is declared to be subject to the reservations contained in the original grant from the Crown, the Registrar may make a memorandum or endorsement on the certificate of title or other instrument expressly declaring the reservations or implied conditions to which the land is subject.*

**(72) Section 187(1) is amended by striking out** “by written demand, that may be in the prescribed form and that shall be served on the person or be mailed to the person’s last known post office address” **and substituting** “, by written demand sent to the person”.

**NOTE:** (72) Section 187(1) presently reads in part:

*187(1) If it appears to the satisfaction of the Registrar*

*(a) that any instrument has been issued in error or contains any misdescription of land or boundaries,*

*the Registrar may by written demand, that may be in the prescribed form and that shall be served on the person or be mailed to the person’s last known post office address, require the person to whom the instrument has been issued, or by whom it has been obtained or is retained, to deliver it up for the purpose of being cancelled, corrected or completed, as the case requires.*

**(73) Section 189 is amended by striking out** “mailing” **and substituting** “sending”.

**NOTE:** (73) Section 189 presently reads:

*189 On the appearance before a judge of any person summoned or brought up by virtue of a warrant as aforesaid, the judge may question that person on oath and if it appears right to do so may order the person to deliver up the instrument as aforesaid, and on the person’s refusal or neglect to deliver it up, pursuant to the order, or to be put under oath, or to be questioned, or to answer any question touching the matter after being sworn, may commit the person to the nearest common jail for any period not exceeding 6 months, unless the instrument is sooner delivered up or sufficient explanation is made why this cannot be done, and in that case, or if the person has absconded so that summons cannot be served on the person as hereinbefore directed, or if a period of 3 months from the time of mailing the demand to the person has elapsed without the instrument having been returned to the Registrar, the judge may direct the Registrar to cancel or correct or complete the instrument in the Registrar’s possession or any memorandum on it relating to the land and to substitute and issue if necessary*

*any instrument or make whatever memorandum the circumstances of the case require, and the Registrar shall obey the order.*

**(74) Section 191(3)(a) is amended**

- (a) by striking out “removing a builders’ lien” and substituting “removing a lien under the *Prompt Payment and Construction Lien Act*”;**
- (b) by striking out “to a builders’ lien” and substituting “to such a lien”.**

**NOTE:** (74) Section 191(3)(a) presently reads:

- (3) This section does not apply to*
  - (a) an order removing a builders’ lien or removing a certificate of lis pendens with respect to a builders’ lien, or*

**(75) Section 193(5) is amended by striking out “builders’ lien” and substituting “lien under the *Prompt Payment and Construction Lien Act*”.**

**NOTE:** (75) Section 193(5) presently reads:

*(5) When any proceeding is taken under this Act, whether by an application or summons, or by the filing with or the delivery to the Registrar of a caveat, builders’ lien, or copy of an execution against land, or other proceeding, and any party to the proceeding, or the person in whose behalf or against whose interest the caveat, lien or execution has been filed or delivered, is not a resident of Alberta, a judge may, on the application of a party to the proceeding or of anyone interested in the proceeding or affected by the caveat, lien or execution, grant an order requiring the non-resident to give security for the costs of the applicant for the order in prosecuting or resisting the proceedings or in removing or maintaining the caveat, lien or execution, and it may be a term of the order that in default the proceeding may be deemed granted or dismissed, or the caveat,*

*lien or execution may be deemed removed or maintained, and the order may also provide for a stay of proceedings.*

**(76) Section 201 is amended**

**(a) by renumbering it as section 201(1);**

**(b) in subsection (1)(a) by striking out “or duplicate record” and substituting “, duplicate or summary of a record”;**

**(c) by adding the following after subsection (1):**

**(2)** A copy of a request for registration or filing, an instrument or caveat obtained from the records of the Land Titles Office is, in the absence of evidence to the contrary, conclusive proof of the contents of the original and is admissible in a court to the same extent as the original.

**(3)** The Registrar may certify a copy of a request for registration or filing as an accurate representation of the original request for registration or filing and, in the absence of evidence to the contrary, the certified copy is conclusive proof of the contents of the original request.

**(4)** Where an instrument or caveat is provided to the Registrar with a request for registration or filing, the Registrar may certify a copy of the instrument or caveat as an accurate representation of the original instrument or caveat and, in the absence of evidence to the contrary, the certified copy is conclusive proof of the contents of the original instrument or caveat and is admissible in any court to the same extent as the original instrument or caveat.

**(5)** Where a copy of an instrument or caveat is provided to the Registrar with a request for registration or filing, the Registrar may certify a copy of the request for registration or filing as an accurate representation of the original instrument or caveat and, in the absence of evidence to the contrary, the certified copy is conclusive proof of the contents of the original instrument or caveat and is admissible in any court to the same extent as the original instrument or caveat.

**(6)** Where an instrument or caveat is not provided to the Registrar with a request for registration or filing, a copy of the request

obtained from the records of the Land Titles Office is, in the absence of evidence to the contrary, conclusive proof of the contents of the original instrument or caveat referenced in the request and is admissible in a court to the same extent as the original instrument or caveat.

**NOTE:** (76) Section 201 presently reads in part:

*201 A reproduction of an instrument or caveat*

*(a) that is made from an original or duplicate record that is required to be kept by the Registrar, and*

**(77) Section 205(2) is amended by striking out** “may by writing under their hand” **and substituting** “may, in writing,”.

**NOTE:** (77) Section 205(2) presently reads:

*(2) Any 2 or more persons registered as joint owners of land held by them as trustees may by writing under their hand authorize the Registrar to enter the words “no survivorship” on the certificate of title.*

**(78) Section 213 is amended**

- (a) in clause (a.2) by striking out** “instruments and caveats may be examined and registered” **and substituting** “requests for registration or filing may be examined”;
- (b) in clause (a.3) by striking out** “an instrument or a caveat” **and substituting** “a request for registration or filing”;
- (c) by adding the following after clause (d):**
  - (d.301) authorizing the Registrar to establish rules respecting the retention of any document required to be submitted, executed, sworn, affirmed, verified, attested to or produced under this Act;
  - (d.302) authorizing the Registrar to establish rules for the purpose of section 8.2(b) or 8.3(1)(d);

(d.303) respecting digital signatures for the purpose of section 8.3(3)(a);

(d.304) respecting an audit referred to in section 8.6(3) and (4);

**(d) by repealing clause (d.31);**

**(e) by adding the following after clause (d.401):**

(d.4011) respecting fees payable under section 164(1.1), including the amount of the fees or the waiver of fees and specifying

(i) requests for registration or filing or classes of those requests to which the fees apply, and

(ii) persons or classes of persons subject to the fees;

**NOTE:** (78) Section 213 presently reads in part:

*213 The Lieutenant Governor in Council may make regulations*

*(a.2) respecting the circumstances in which instruments and caveats may be examined and registered in an order other than the order in which they are entered in the pending registration queue;*

*(a.3) prescribing the time within which an instrument or a caveat that has been returned for correction under section 14.1(6)(a) must be returned to the Registrar in order to retain its place in the pending registration queue;*

*(d.31) prescribing any matter in respect of which the Registrar may establish policies for the purposes of sections 56.12(d) and 56.13(d);*

**(79) Section 215 is repealed and the following is substituted:**

**Service**

**215(1)** A person may file with the Registrar a notice giving the person's address for service.

(2) When the Registrar is required to serve on or send a document or any other thing to a person, the Registrar may serve or send it by the following means:

- (a) by personal service on the person;
- (b) by ordinary mail or recorded mail addressed to
  - (i) the person's address as provided to the Registrar, or
  - (ii) an alternative address for service if provided by the person to the Registrar;
- (c) by electronic means to an electronic address that the individual has provided to the Registrar.

(3) Service is deemed to have been effected or the document or other thing is deemed to have been received

- (a) on the date on which acknowledgment of receipt of recorded mail is signed,
- (b) 7 days after the date on which the document or other thing is sent by ordinary mail, or
- (c) 24 hours after the document or other thing is sent by electronic means.

**NOTE:** (79) Section 215 presently reads:

*215(1) Any person having a registered interest in any land may file with the Registrar of the proper Land Titles Office a notice giving the person's address for service, and any notice that is required to be given by the Registrar pursuant to this or any other Act is deemed to have been duly served on the notice being sent by regular mail addressed to the person at the person's address for service, if any, and if the person has no address for service then at the person's address as shown by the registered instruments.*

*(2) The Registrar may require that the notice contain a description of the registered interest and the land in which the person claims to be interested.*

*(3) Where a description is given under subsection (2), the notice shall have effect only as to the interest and the land mentioned in the notice.*

**(80) This section comes into force on Proclamation.**

**NOTE:** (80) Coming into force.

### **Mobile Home Sites Tenancies Act**

**Amends RSA 2000 cM-20**

**11(1) The *Mobile Home Sites Tenancies Act* is amended by this section.**

**NOTE:** 11(1) Amends chapter M-20 of the Revised Statutes of Alberta 2000.

**(2) Section 16(3)(a) and (b) are amended by striking out “180 days” and substituting “365 days”.**

**NOTE:** (2) Section 16(3)(a) and (b) presently read:

*(3) A landlord shall not increase the rent payable under a tenancy agreement or recover any additional rent resulting from an increase unless*

*(a) 180 days has passed since the commencement of the tenancy, or*

*(b) 180 days has passed since the last rent increase.*

### **Natural Gas Marketing Act**

**Amends RSA 2000 cN-1**

**11(1) The *Natural Gas Marketing Act* is amended by this section.**

**NOTE:** 11(1) Amends chapter N-1 of the Revised Statutes of Alberta 2000.

**(2) Section 1(1)(f) and (3) are amended by striking out “Mountain Standard Time” wherever it occurs.**

**NOTE:** (2) Section 1(1)(f) and (3) presently read:

*1(1) In this Act,*

*(f) “prescribed deregulation date” means 8 a.m. Mountain Standard Time on the date designated by the Minister as the prescribed deregulation date for the purposes of this Act;*

*(3) Where any reference is made in this Act or any regulation, order or decision under this Act to a month, whether by its name or not, the reference shall be construed to be the period commencing at 8 a.m. Mountain Standard Time on the first day of that month and ending immediately before 8 a.m. Mountain Standard Time on the first day of the next month.*

**(3) This section comes into force on Proclamation.**

**NOTE:** (3) Coming into force.

### **Oil and Gas Conservation Act**

**Amends RSA 2000 cO-6**

**12(1) The *Oil and Gas Conservation Act* is amended by this section.**

**NOTE:** 12(1) Amends chapter O-6 of the Revised Statutes of Alberta 2000.

**(2) Section 44 is amended by adding “or” at the end of clause (a), by striking out “or” at the end of clause (b) and by repealing clause (c).**

**NOTE:** (2) Section 44 presently reads:

*44 Where the Regulator or its authorized representative determines that a licensee, approval holder, contractor or operator of a well or facility has contravened or failed to comply with this Act, the regulations or rules or an order of the Regulator, or that a method or practice employed at a well or facility or any equipment or installation at a well or facility is improper, hazardous, inadequate or defective,*

- (a) the Regulator or its authorized representative may order the well or facility to be shut down or closed,*
- (b) the Regulator or its authorized representative may require that approved methods be adopted and that remedial measures be taken before any operation proceeds at the well or facility, or*
- (c) the Regulator may hold an inquiry into the matter.*

**(3) Sections 45 and 46 are repealed.**

**NOTE:** (3) Sections 45 and 46 presently read:

*45(1) Where the Regulator orders that a well or facility be shut down or closed under section 44(a), the licensee or approval holder may by notice in writing to the Regulator request an inquiry into the matter.*

*(2) Where the Regulator receives a request for an inquiry, it shall, within 15 days after receiving the request, hold an inquiry into the matter.*

*(3) Unless the Regulator directs otherwise, a well or facility that has been ordered to be shut down or closed under section 44(a) must remain shut down or closed pending the result of the inquiry.*

*46 Where the Regulator holds an inquiry pursuant to section 44(c) or 45 it may*

- (a) *in a case to which section 44(c) applies, make an order under section 44(a) or (b), or*
- (b) *in a case referred to in section 45, withdraw the order made under section 44(a) or extend it on any terms and conditions the Regulator considers appropriate.*

**(4) Section 47 is amended by striking out “or 46”.**

**NOTE:** (4) Section 47 presently reads in part:

*47 Except as otherwise authorized by the Regulator, when any well or facility is shut down or closed under section 44 or 46, no person may*

### **Oil Sands Conservation Act**

**Amends RSA 2000 cO-7**

**13(1) The *Oil Sands Conservation Act* is amended by this section.**

**NOTE:** 12(1) Amends chapter O-7 of the Revised Statutes of Alberta 2000.

**(2) Section 9(3) and (4) are repealed.**

**NOTE:** (2) Section 9(3) and (4) presently read:

*(3) If the Regulator, or a person authorized by the Regulator, has made an order under subsection (1), the Regulator on its own initiative may, or at the request of a person directly affected by the order shall, hold an inquiry within a reasonable time of the date of the making of the order or of the request of that person, as the case may be, to investigate the circumstances leading to the making of the order.*

*(4) After an inquiry under subsection (3), the Regulator may*

- (a) *renew or rescind the order issued under subsection (1),  
or*
- (b) *take any other action or make any other order not  
inconsistent with this Act that it considers to be  
warranted by the circumstances.*

## **Pipeline Act**

### **Amends RSA 2000 cP-15**

#### **15(1) The *Pipeline Act* is amended by this section.**

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

#### **(2) Section 29(1) is amended by adding “or” at the end of clause (a), by striking out “or” at the end of clause (b) and by repealing clause (c).**

**NOTE:** (2) Section 29(1) presently reads:

*29(1) Where it appears to the Regulator or its authorized representative that in the construction or operation of a pipeline or in the undertaking of a ground disturbance there has been or is a contravention of this Act, the rules, a licence or an order or direction of the Regulator, or that a method or practice employed or any equipment or installation at a pipeline or in a controlled area is improper, hazardous, inadequate or defective,*

- (a) *the Regulator or its representative may order that the construction or operation of the pipeline, or the ground disturbance, is suspended and shall not be resumed until*
  - (i) *the contravention ceases or this Act or the rules, licence or order or direction of the Regulator is complied with,*
  - (ii) *approved methods or practices are employed or adopted,*

- (iii) remedial measures are taken, or*
- (iv) proper, safe and adequate equipment is used,*
- (b) the Regulator or its representative may order that the construction or operation of the pipeline or the ground disturbance be suspended until further order, or*
- (c) the Regulator may call an inquiry.*

**(3) Sections 30 and 31(1) are repealed.**

**NOTE:** (3) Sections 30 and 31(1) presently read:

*30 Where an order is made under section 29(1)(a) or (b) for the suspension of the construction or operation of a pipeline or of a ground disturbance within a controlled area, the person to whom the order is directed may request an inquiry and, if the person does so, the Regulator shall hold an inquiry within 5 days, exclusive of holidays, after the date of receipt of the request.*

*31(1) Within 15 days after the conclusion of an inquiry pursuant to section 29 or 30, the Regulator may*

- (a) allow the construction or operation of the pipeline, or the ground disturbance within a controlled area, to continue or resume subject to any conditions that the Regulator may prescribe,*
- (b) order the continued suspension of the construction or operation of the pipeline, or the ground disturbance within a controlled area, until the Regulator makes an order to the contrary, or*
- (c) in the case of the construction or operation of a pipeline, cancel or suspend the licence for the pipeline.*

## Professional Governance Act

### Amends SA 2025 cP-25.5

**15(1) The *Professional Governance Act* is amended by this section.**

**NOTE:** 15(1) Amends chapter P-25.5 of the Statutes of Alberta, 2025.

### **(2) Section 1 is amended**

- (a) in clause (i) by striking out “, a code of ethics and conduct made by the Minister under section 202,”;**
- (b) in clause (w) by striking out “257” and substituting “255(1)”;**
- (c) in clause (ll) by striking out “, practice standards and guidelines made by the Minister under section 202”.**

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

*1 In this Act,*

- (i) “code of ethics and conduct” means a code of ethics and conduct made by a governing body under section 50, a code of ethics and conduct made by the Minister under section 202, or a rule, code or standard continued as a code of ethics and conduct under section 225;*
- (w) “former Act” means an Act repealed under section 257 or an Act that previously regulated but no longer regulates a profession;*
- (ll) “practice standards and guidelines” means practice standards and guidelines made by a governing body under section 50, practice standards and guidelines made by the Minister under section 202 and rules, codes or standards continued as practice standards and guidelines under section 225;*

**(3) Section 24(1)(b) is amended by striking out “type of registrants” and substituting “the category or class of registrants”.**

**NOTE:** (3) Section 24(1)(b) presently reads:

*24(1) Each professional regulatory organization must establish a governing body consisting of*

*(b) the number and type of registrants set out in the bylaws of the professional regulatory organization, each of whom must be selected by the membership of the professional regulatory organization in accordance with the bylaws,*

**(4) Section 33(2) is amended by adding “or Division 3” after “Division”.**

**NOTE:** (4) Section 33(2) presently reads in part:

*(2) Notwithstanding anything to the contrary in this Division, each joint committee and each joint tribunal must be composed of*

**(5) Section 37 is amended**

**(a) in subsection (3) by adding “, subject to subsection (3.1),” after “The Minister may”;**

**(b) by adding the following after subsection (3):**

**(3.1)** The Minister must not appoint a public member to a governing body if the appointment of that public member would result in the governing body consisting of 50% or more public members.

**(c) in subsection (4)**

**(i) by striking out “A person” and substituting “An individual”;**

**(ii) by striking out “the person” and substituting “the individual”.**

**NOTE:** (5) Section 37 presently reads in part:

*(3) The Minister may appoint any number of public members to a governing body, joint committee, joint tribunal or public member roster that the Minister deems appropriate to protect the public interest, and may fill any vacancies that may arise.*

*(4) A person may be appointed as a public member of more than one governing body, joint committee or joint tribunal under this Act as long as the person does not serve on*

**(6) Section 42 is amended**

**(a) in subsection (2) by striking out** “person is reappointed, the person’s” **and substituting** “individual is reappointed, the individual’s”;

**(b) in subsection (5) by striking out** “person’s” **and substituting** “individual’s”.

**NOTE:** (6) Section 42 presently reads in part:

*(2) A public member may continue to serve after the expiry of the public member’s term until the person is reappointed, the person’s successor is appointed or a period of 3 months has elapsed, whichever occurs first.*

*(5) A public member who has served for the maximum period set out in subsection (3) is eligible to be reappointed as a public member if at least 2 years have elapsed since the person’s last term expired.*

**(7) Section 58(2) is repealed and the following is substituted:**

**(2)** The Minister may, by regulation, authorize a professional regulatory organization to issue a stamp, seal or engraving to its registrants, and the Minister may make regulations respecting the use of those stamps, seals and engravings.

**NOTE:** (7) Section 58(2) presently reads:

*(2) The Minister may authorize the issuance of a stamp, seal or engraving by the registrants of a professional regulatory organization in the regulations, and may make regulations respecting the use of those stamps, seals and engravings.*

**(8) Section 64(5) is repealed and the following is substituted:**

**(5)** If a registrant fails to submit the information required by subsection (2), the registrar or registration committee may do one or more of the following:

- (a) suspend or cancel the registration of the registrant in accordance with the regulations and the bylaws of the professional regulatory organization;
- (b) impose conditions or restrictions on the registration of the registrant in accordance with the regulations and the bylaws of the professional regulatory organization;
- (c) require the registrant to give an undertaking to the professional regulatory organization with respect to the registrant's practice;
- (d) impose a financial penalty in accordance with the regulations and the bylaws of the professional regulatory organization;
- (e) make a complaint under Part 8 about the conduct of the registrant.

**NOTE:** (8) Section 64(5) presently reads:

*(5) If a registrant fails to submit the information required by subsection (2), the registrar or registration committee may*

- (a) suspend or cancel the registration of the registrant in accordance with the regulations and the bylaws of the professional regulatory organization,*
- (b) impose conditions or restrictions on the registration of the registrant in accordance with the regulations and the bylaws of the professional regulatory organization,*

- (c) *require the registrant to give an undertaking to the professional regulatory organization with respect to the registrant's practice,*
- (d) *impose a financial penalty in accordance with the regulations and the bylaws of the professional regulatory organization, or*
- (e) *make a complaint under Part 8 about the conduct of the registrant.*

**(9) Sections 65(4) and 66(6) are amended by striking out “Sections 55” and substituting “Sections 52, 55”.**

**NOTE:** (9) Sections 65(4) and 66(6) presently read:

*65(4) Sections 55, 56, 57 and 69 apply, with all necessary modifications, to applications for reinstatement under this section.*

*66(6) Sections 55, 56, 57 and 69 apply, with all necessary modifications, to applications for reinstatement under this section.*

**(10) Section 69 is amended by adding the following after subsection (2):**

- (3) If a decision is appealed under subsection (1)(a), (b) or (d), the decision remains in effect until an appeal tribunal makes a decision on the appeal.
- (4) If a decision referred to in section 64(5)(a), (b) or (c) is appealed under subsection (1)(c), the decision remains in effect until an appeal tribunal makes a decision on the appeal unless the appeal tribunal issues a stay on application by the appellant.
- (5) If a decision is stayed by an appeal tribunal, the stay shall be published in accordance with the bylaws of the applicable professional regulatory organization.

**NOTE:** (10) Determines when a decision remains in effect during appeal to appeal tribunal; stays will be published.

**(11) Section 85 is amended**

- (a) in subsection (3)(b) by adding “, if applicable” after “section 86”;
- (b) in subsection (4) by adding “made under subsection (2)(b), (c) or (d)” after “decision of the practice review committee”.

**NOTE:** (11) Section 85 presently reads in part:

*(3) If the practice review committee has made a decision under subsection (2)(a), (b), (c) or (d), the committee must provide the registrant with*

*(b) notice of the right to appeal established by section 86.*

*(4) Non-compliance with a decision of the practice review committee may be submitted by a practice review committee to a CIC secretary as a complaint under section 89.*

**(12) Section 86(1) is amended by striking out “85(2)(a), (b)” and substituting “85(2)(b)”.**

**NOTE:** (12) Section 86(1) presently reads:

*86(1) A registrant that receives a decision from a practice review committee under section 85(2)(a), (b), (c) or (d) may, within 30 days after receiving a copy of the decision, appeal the decision to an appeal tribunal in accordance with Part 10.*

**(13) Section 104 is amended**

- (a) in subsection (1) by adding “, including, if applicable, any other conduct of the registrant or former registrant that came to the attention of the investigator in the course of the

investigation that the investigator believes is unprofessional conduct” **after** “investigation”;

**(b) in subsection (3)(b) by striking out “investigator believes” and substituting “complaints inquiry committee believes”;**

**(c) by repealing subsection (4).**

**NOTE:** (13) Section 104 presently reads in part:

*104(1) An investigator must report, in writing, to the complaints inquiry committee that appointed the investigator on the results of an investigation.*

*(3) If a complaints inquiry committee has already referred a complaint to the discipline tribunal roster chair under section 97, the committee may not determine that no further action shall be taken but may*

*(b) refer any other conduct of the registrant or former registrant that came to the attention of the investigator in the course of the investigation that the investigator believes is unprofessional conduct to the discipline tribunal roster chair.*

*(4) If no further action will be taken in respect of a complaint, but other conduct of the registrant or former registrant came to the attention of an investigator in the course of an investigation that an investigator believes is unprofessional conduct, the investigator shall submit a complaint under section 89 with respect to this other conduct.*

**(14) Section 118(2) is amended by adding the following after clause (e):**

(e.1) the failure or refusal to comply with a decision of a practice review committee made under section 85(2)(b), (c) or (d);

**NOTE:** (14) Adds to conduct that can be found to be unprofessional conduct.

**(15) Section 121 is amended**

- (a) **in subsections (1) and (2) by striking out** “is the subject of a complaint” **and substituting** “has been determined to constitute unprofessional conduct under section 118”;
- (b) **in subsection (4) by striking out** “is the subject of the complaint does not” **and substituting** “has been determined to constitute unprofessional conduct under section 118 fails to”.

**NOTE:** (15) Section 121 presently reads in part:

*121(1) In accordance with the bylaws of the applicable professional regulatory organization, a discipline tribunal may order a registrant or former registrant whose conduct is the subject of a complaint to pay costs to a professional regulatory organization, including all or any part of the costs of*

*(2) Unless a discipline tribunal orders otherwise, a registrant or former registrant whose conduct is the subject of a complaint must pay to a professional regulatory organization, as part of the costs ordered under subsection (1), all of the reasonable costs for the indemnification of the professional regulatory organization relating to the review of the complaint, the investigation, the determination of procedural matters and the discipline tribunal hearing, including legal expenses and lawyer fees.*

*(4) If a registrant whose conduct is the subject of the complaint does not pay costs in accordance with the order of a discipline tribunal, the registration of the registrant is immediately cancelled unless a discipline tribunal or an appeal tribunal otherwise directs.*

**(16) Section 122 is amended by striking out** “the costs or fines ordered by a discipline tribunal within the time specified in the order” **and substituting** “costs or fines in accordance with an order of a discipline tribunal”.

**NOTE:** (16) Section 122 presently reads:

*122 Subject to the right of appeal, where a registrant or former registrant fails to pay the costs or fines ordered by a discipline tribunal within the time specified in the order, the applicable professional regulatory organization may file a copy*

*of the order with the clerk of the Court of King's Bench, and on being filed, the order has the same force and effect and may be enforced as if it were a judgment of the Court of King's Bench.*

**(17) Section 126 is amended**

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

**(i) in clause (b) by striking out** “an undertaking or an order issued by” **and substituting** “an order issued or an undertaking accepted by”;

**(ii) by striking out** “or undertaking” **and substituting** “or accepted the undertaking”;

**(b) in subsection (2) by adding** “accepted an” **before** “undertaking”.

**NOTE:** (17) Section 126 presently reads in part:

*126(1) If a registrant or former registrant contravenes or fails to comply with*

*(b) an undertaking or an order issued by*

*(i) a governing body or any committee,  
sub-committee, tribunal or court under this Act,  
or*

*and no sanction has been imposed to deal with the contravention or non-compliance, the complaints inquiry committee that approved the sanction agreement or the body that issued the order or undertaking may refer the contravention or non-compliance as a complaint under section 89.*

*(2) If the body that issued an order or undertaking no longer exists, the body under this Act that replaced that body may refer the contravention or non-compliance as a complaint under section 89.*

**(18) Section 141(2)(a) is amended by striking out** “or tribunal”.

**NOTE:** (18) Section 141(2)(a) presently reads:

*(2) If the complaints inquiry committee accepts the application, the committee*

*(a) may make the order accepting the resignation subject to any conditions that the committee or tribunal considers appropriate in the circumstances,*

**(19) Section 145(1) is amended by striking out “(8)” and substituting “(6)”.**

**NOTE:** (19) Section 145(1) presently reads:

*145(1) A registrant may appeal a decision of the complaints inquiry committee under section 143(1), (2), (4) or (8) to an appeal tribunal.*

**(20) Section 157 is amended**

**(a) in subsection (3) by striking out “is the subject of a complaint” and substituting “has been determined to constitute unprofessional conduct under section 118”;**

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

**(4.1)** If a registrant fails to pay costs in accordance with an order of an appeal tribunal under this section, the registration of the registrant is immediately cancelled unless the appeal tribunal or the Court of Appeal otherwise directs.

**(c) in subsection (5) by striking out “the costs or fines ordered by” and substituting “costs or fines in accordance with an order of”.**

**NOTE:** (20) Section 157 presently reads in part:

*(3) In the case of an appeal by a registrant or former registrant whose conduct is the subject of a complaint, unless the registrant or former registrant is successful in all aspects of the appeal, the appeal tribunal may order the registrant or former*

*registrant to pay all or any part of the reasonable costs for the indemnification of the professional regulatory organization for the costs relating to the appeal, including legal expenses and lawyer fees, in accordance with the bylaws of the professional regulatory organization.*

*(5) Subject to the right of appeal, where a registrant, former registrant or complainant fails to pay the costs or fines ordered by an appeal tribunal, the applicable professional regulatory organization may file a copy of the order with the clerk of the Court of King's Bench, and on being filed, the order has the same force and effect and may be enforced as if it were a judgment of the Court of King's Bench.*

**(21) Section 165(1)(c)(ii) is amended by striking out “CIC chair” and substituting “complaints inquiry committee”.**

**NOTE:** (21) Section 165(1)(c)(ii) presently reads:

*165(1) The Court of Appeal on hearing an appeal may*

*(c) refer the matter back,*

*(ii) in the case of a decision by the CIC chair under Part 9, to the complaints inquiry committee or an appeal tribunal*

*for further consideration in accordance with any direction of the Court of Appeal.*

**(22) Section 178(1) is amended by adding “, a non-regulated member” after “the client of a registrant or former registrant”.**

**NOTE:** (22) Section 178(1) presently reads:

*178(1) Except as otherwise provided in*

*(a) this Act and the regulations,*

*(b) the bylaws, code of ethics and conduct or practice standards and guidelines of a professional regulatory organization, or*

(c) *an order of a court,*

*any information acquired by a professional regulatory organization under Parts 5 to 10 respecting a registrant or former registrant, the client of a registrant or former registrant or any other person is confidential information.*

**(23) The heading preceding section 195 is amended by striking out “Inspections” and substituting “Inquiries”.**

**NOTE:** (23) The heading preceding section 195 presently reads:

*Division I  
Inspections, Administrators and Designation Review*

**(24) Section 202(4) is repealed.**

**NOTE:** (24) Section 202(4) presently reads:

*(4) If a professional regulatory organization’s governing body does not comply with a Minister’s order under subsection (1), the Minister may, by order,*

- (a) make a code of ethics and conduct or practice standards and guidelines for the professional regulatory organization, or adopt amendments to the code of ethics and conduct or practice standards and guidelines of the professional regulatory organization,*
- (b) make, amend or repeal any bylaws that the governing body may make, or*
- (c) carry out any other power, duty or function of the governing body.*

**(25) Section 207(1) is amended**

- (a) by repealing clause (dd) and substituting the following:**

(dd) authorizing a professional regulatory organization to issue stamps, seals or engravings to its registrants and respecting the use of those stamps, seals and engravings by registrants;

**(b) in clause (fff) by striking out “specialities” and substituting “specialties”.**

**NOTE:** (25) Section 207(1) presently reads in part:

*207(1) The Minister may make regulations*

*(dd) authorizing and respecting the use of stamps, seals and engravings by registrants of a professional regulatory organization;*

*(fff) authorizing a professional regulatory organization to establish specialities and respecting a person’s use of the term “specialist” or a person holding themselves out to be a specialist;*

**(26) Section 213 is amended**

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

**(i) in clause (a) by striking out “type of registrants” and substituting “the category or class of registrants”;**

**(ii) in clause (kk) by striking out “131 or 160” and substituting “69, 131 or 160”;**

**(iii) in clause (ll) by adding “, if applicable,” after “in the context”;**

**(b) in subsection (2)**

**(i) in clause (nn) by striking out “specialities” and substituting “specialties”;**

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

(vv.1) respecting the establishment and payment of sums of money for a scholarship, fellowship or other educational incentive or benefit program that the governing body considers appropriate;

**NOTE:** (26) Section 213 presently reads in part:

*213(1) Each governing body must make bylaws*

*(a) respecting the number and type of registrants that may be selected as members of the governing body, which may prescribe*

*(kk) respecting the publication of a stay under section 131 or 160,*

*(ll) respecting the publication of a direction or decision temporarily suspending a registrant's registration or imposing conditions or restrictions on the registrant pending the conclusion of an investigation or the decision of a discipline tribunal under section 142, or in the context of an incapacity assessment under section 143,*

*(2) A governing body may make bylaws*

*(nn) respecting specialists, including the use of the term "specialist" or holding oneself out to be a specialist, if the Minister has authorized the professional regulatory organization to establish specialities,*

**(27) Section 231 is repealed and the following is substituted:**

**Exercise of power prior to commencement, continuation**

**231(1)** A governing body under a former Act may exercise a power described in subsection (2) prior to

- (a) the coming into force of the provision conferring the power, and
- (b) the continuation of the professional regulatory organization under section 218(1) in respect of which the governing body under a former Act will continue as the governing body under section 220(1).

**(2)** For the purposes of subsection (1), the following powers may be exercised by a governing body under a former Act:

- (a) the power to make bylaws under this Act;

- (b) the power to make a code of ethics and conduct and practice standards and guidelines under this Act;
- (c) the power to establish committees under section 26;
- (d) the power to designate the CIC chair under section 28;
- (e) the power to establish and maintain tribunal rosters under section 30(1);
- (f) the power to appoint a discipline tribunal roster chair and appeal tribunal roster chair under section 30(2);
- (g) the power to appoint secretaries and a registrar under section 35;
- (h) the power to select, designate or appoint members of a governing body, committee, sub-committee, tribunal, joint committee or joint tribunal, panel or task force under this Act, other than public members;
- (i) the power to delegate powers, duties and functions under section 46.

**(3)** The exercise of a power described in subsection (2) has no effect until

- (a) the provision conferring the power comes into force, and
- (b) the professional regulatory organization, in respect of which the governing body under a former Act will continue as the governing body under section 220(1), has been continued under section 218(1).

**(4)** On the continuation of a governing body under section 220(1), any power exercised by a governing body under a former Act in accordance with subsection (1) prior to its continuation under section 220(1) is considered to have been exercised by the continued governing body.

**(5)** The Minister may exercise any of the following powers in respect of a professional regulatory organization that is to be continued under section 218(1) prior to the coming into force of the section conferring the power and prior to the continuation of the professional regulatory organization, but an exercise of any of the

following powers has no effect until the section conferring the power comes into force and the professional regulatory organization is continued:

- (a) the power to establish joint committees and joint tribunals under section 33;
- (b) the power to appoint public members under section 37, including any necessary consultations with a governing body.

**(6)** For the purposes of section 37(1) and (2), the requirement that the Minister consult with each applicable governing body prior to appointing a public member or revoking the appointment of a public member is satisfied if, in respect of a professional regulatory organization to be continued under section 218(1) to which the appointment or revocation of appointment would relate, the Minister consults with the governing body under a former Act that will continue under section 220(1) as the governing body of that professional regulatory organization under this Act.

**NOTE:** (27) Section 231 presently reads:

*231 The power*

- (a) to make bylaws under this Act,*
- (b) to make a code of ethics and conduct and practice standards and guidelines under this Act,*
- (c) to establish committees under section 26,*
- (d) to designate the CIC chair under section 28,*
- (e) to establish tribunal rosters under section 30(1),*
- (f) to appoint a discipline tribunal roster chair and appeal tribunal roster chair under section 30(2),*
- (g) to establish joint committees and joint tribunals under section 33,*
- (h) to appoint secretaries and a registrar under section 35,*
- (i) to select, designate or appoint members of a governing body, committee, sub-committee, tribunal, joint*

*committee or joint tribunal, panel or task force under this Act, other than public members,*

*(j) to appoint public members under section 37, including any necessary consultations with a governing body, and*

*(k) to delegate powers under section 46*

*may be exercised before those sections come into force, but the exercise of that power has no effect until this Act comes into force.*

**(28) Section 255 is amended by renumbering it as section 255(1).**

**NOTE:** (28) Updates section numbering.

**Provincial Parks Act**

**Amends RSA 2000 cP-35**

**16(1) The *Provincial Parks Act* is amended by this section.**

**NOTE:** 16(1) Amends chapter P-35 of the Revised Statutes of Alberta 2000.

**(2) Section 1(1) is amended**

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

(b.1) “conveyance” includes a vehicle, motor vehicle, off-highway vehicle, trailer, watercraft, aircraft, cycle, recreation device, mobility device, animal and tack when used as a conveyance and any other means of conveyance that is powered by an energy source other than animal or human power or is pulled or propelled by animals or people;

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

(m.1) “park management officer” means a person who occupies that office by virtue of section 2.1;

**NOTE:** (2) Adds definitions.

**(3) Section 2(1) is amended by striking out** “in accordance with this Act”.

**NOTE:** (3) Section 2(1) presently reads:

*2(1) The Minister may appoint an individual employed by the Crown in the Minister’s Department as a park administrative officer for the purpose of administering this Act in accordance with this Act.*

**(4) The following is added after section 2:**

**Park management officers**

**2.1(1)** The Minister may appoint an individual employed by the Crown in the Minister’s Department as a park management officer for the purpose of administering this Act.

**(2)** An individual appointed as a conservation officer under section 1 of Schedule 3.1 to the *Government Organization Act* is a park management officer by virtue of that appointment.

**(3)** The Minister may, in writing, restrict or negate the jurisdiction of a park management officer for the purposes of administering this Act.

**NOTE:** (4) Park management officers.

**(5) The following is added after section 9.1:**

**Order to reclaim land**

**9.11(1)** If a person contravenes section 9.1, 9.2, 10 or 10.1, a park management officer may, by order, require the person to do one or more of the following within the time specified in the order:

- (a) do or refrain from doing anything in connection with the contravention;
- (b) remove any unauthorized structure, improvement, work or equipment;
- (c) restore, reclaim or remediate any land affected by the contravention to its original condition or to a condition satisfactory to the officer.

(2) An order under subsection (1) may be given in writing or orally and, if given orally, must be confirmed in writing as soon as practicable.

(3) If a person fails to comply with an order given under subsection (1), a park management officer or conservation officer may take any measures reasonably considered necessary to carry out the order.

(4) Any costs or expenses incurred by the Crown in carrying out an order under subsection (3) are a debt due to the Crown and may be recovered by the Minister in an action in debt against the person to whom the order was directed.

**NOTE:** (5) Order to reclaim land.

**(6) Section 10.1 is amended by adding “under a permission or” after “allowed”.**

**NOTE:** (6) Section 10.1 presently reads:

*10.1 A person shall not remove or move timber, soil, sand, rock or other natural materials in or from a park or recreation area unless that activity is specifically allowed as part of work being undertaken under a disposition.*

**(7) Section 12(2)(f) is repealed and the following is substituted:**

- (f) respecting the use of conveyances and equipment;

**NOTE:** (7) Section 12(2)(f) presently reads:

*(2) The Minister may, in respect of parks and recreation areas, make regulations*

*(f) respecting the use of motor vehicles, boats, trailers and equipment;*

**(8) Section 12.2 is amended by striking out** “section 5, 13(1), 16(b) or (c) or 17(1) or (6)” **and substituting** “section 5, 9.11(1), 13(1), 16(b) or (c), 16.1(1) or 17(1)”.

**NOTE:** (8) Section 12.2 presently reads:

*12.2 An order made under section 5, 13(1), 16(b) or (c) or 17(1) or (6) is exempt from the application of the Regulations Act.*

**(9) Section 13(4) is amended by striking out** “conservation officer” **and substituting** “park management officer”.

**NOTE:** (9) Section 13(4) presently reads:

*(4) A person shall not, without permission from a conservation officer, enter or remain in an area that has been closed under subsection (1) but not yet reopened.*

**(10) The following is added after section 16:**

**Powers of park management officers**

**16.1(1)** For the purposes of administering this Act, a park management officer may

- (a) enter on and inspect any land, road, highway, structure, improvement, work or equipment in a park or recreation area,

- (b) order the removal of any unauthorized structure, improvement, work or equipment in a park or recreation area,
- (c) order a person to cease or refrain from any activity that the officer considers is, or is potentially, dangerous to human life or health or public safety or detrimental to the environment or property in a park or recreation area or to the use and enjoyment of the park or recreation area by others,
- (d) close and evacuate the whole or any part of a park or recreation area on account of an imminent danger or other emergency and maintain the closure until
  - (i) the danger, emergency or any resulting public safety hazard has been addressed to the satisfaction of a park management officer, or
  - (ii) the Minister orders a closure under section 13(1)(a),
- (e) order a person not to enter or remain in a park or recreation area or a part of it that is considered dangerous or that has been closed,
- (f) order the removal from a park or recreation area, or from a particular part of it, of a person who is
  - (i) making a use of it that is not allowed,
  - (ii) contravening a provision of this Act, or
  - (iii) present at a location that is considered dangerous,
    - and prohibit that person's right to re-enter the park or recreation area or that part of it, as the case may be,
- (g) order a person in motion to stop or slow down,
- (h) if a person in motion is operating a conveyance or leading a horse or pack animal, order that person, after the conveyance or animal has stopped or slowed down, to move to a particular place,

- (i) close any area within a park or recreation area for park management purposes and order a person not to enter or remain in any part that has been closed,
- (j) order a person to inform the officer of that person's name and address and of any fact or intention relating to that person's use of the park or recreation area or any part of it, and to provide proof of that person's identity,
- (k) order a person engaging in an activity for which a permission is required to produce the required permission, and
- (l) order a person to remove, store or dispose of any object that the officer believes, on reasonable and probable grounds, to be a wildlife attractant in a park or recreation area.

(2) A park management officer may remove, store and dispose of, in accordance with this Act, any conveyance, equipment or any other thing that the officer believes, on reasonable and probable grounds, to be

- (a) lost or abandoned in a park or recreation area,
- (b) remaining in a park or recreation area or at a specific location in a park or recreation area when the thing is no longer allowed to be there,
- (c) situated at a location in a park or recreation area where its presence is prohibited, or
- (d) a wildlife attractant.

(3) An order under subsection (1) may be given in writing, orally or, to the extent practicable, by signal.

**NOTE:** (10) Powers of park management officers.

**(11) Section 17 is amended**

- (a) in subsection (1)
  - (i) by striking out “or enforcing”;

- (ii) in clause (a) by striking out “improvement or work” and substituting “improvement, work or equipment”;**
  - (iii) in clause (b) by striking out “improvement, structure” and substituting “structure, improvement”;**
  - (iv) by repealing clause (d) and substituting the following:**
    - (d) close and evacuate the whole or any part of a park or recreation area on account of an imminent danger or other emergency and maintain the closure until
      - (i) the danger, emergency or any resulting public safety hazard has been addressed to the satisfaction of a conservation officer, or
      - (ii) the Minister orders a closure under section 13(1)(a),
  - (v) in clause (e) by striking out “hazardous” and substituting “dangerous”;**
  - (vi) in clause (f) by adding “, including a prohibition imposed under section 16.1(1)(f),” after “restriction or prohibition”;**
  - (vii) by repealing clause (h) and substituting the following:**
    - (h) if a person in motion is operating a conveyance or leading a horse or pack animal, order that person, after the conveyance or animal has stopped or slowed down, to move to a particular place and then stop the conveyance or animal, and not to proceed until the end of any period necessary to enable the officer to conduct any lawful inquiries,
  - (viii) by striking out “and” at the end of clause (i), by adding “and” at the end of clause (j) and by adding the following after clause (j):**
    - (k) order a person to remove, store or dispose of any object that the officer believes, on reasonable and probable grounds, to be a wildlife attractant in a park or recreation area.
- (b) in subsection (2)**

- (i) **by striking out** “motor vehicle, aircraft, boat, trailer” **and substituting** “conveyance”;
- (ii) **by striking out** “or” **at the end of clause (b), by adding** “or” **at the end of clause (c) and by adding the following after clause (c):**
  - (d) a wildlife attractant.
- (c) **in subsection (5) by striking out** “conservation officer under this Act” **and substituting** “park management officer or conservation officer under this Act”;
- (d) **by repealing subsection (6).**

**NOTE:** (11) Section 17 presently reads in part:

*17(1) For the purposes of administering or enforcing this Act, a conservation officer may*

- (a) *enter on and inspect any land, road, highway, structure, improvement or work in a park or recreation area,*
- (b) *order the removal of any unauthorized improvement, structure, work or equipment in a park or recreation area,*
- (d) *close and evacuate the whole or any part of a park or recreation area on account of any imminent danger or other emergency and subsequently reopen it,*
- (e) *order a person not to enter into or remain in a park or recreation area or an area in it that is considered hazardous or that has been closed,*
- (f) *order the removal from a park or recreation area, or from a particular part of it, of any person who is*
  - (i) *making a use of it that is not allowed,*
  - (ii) *contravening any provision of this Act or of any other Act or any order under another Act,*
  - (iii) *creating a nuisance or disturbance or committing a trespass or other act deserving of censure, or*

*(iv) present at a location that is considered dangerous,*

*and enforce any restriction or prohibition on that person's right to re-enter the park or recreation area or that part of it, as the case may be,*

*(h) if a person in motion is operating a vehicle or boat or riding or leading a horse or pack animal, order that person, after the vehicle, boat or animal has stopped or slowed down, to move to a particular place and then stop it, and not to proceed until the end of any period of time necessary to enable the officer to conduct any lawful inquiries,*

*(i) order a person to inform the officer of that person's name and address and of any fact or intention relating to that person's use of the park or recreation area or any part of it, and to provide proof of that person's identity, and*

*(j) order a person engaging in an activity for which a permission is required to produce the required permission.*

*(2) A conservation officer may remove, store and dispose of, in accordance with this Act, any motor vehicle, aircraft, boat, trailer, equipment or any other thing that the officer believes, on reasonable and probable grounds, to be*

*(5) If the person to whom an order given by a conservation officer under this Act is directed does not comply with the order, a conservation officer may take any measures reasonably considered to be necessary to carry out the order.*

*(6) The Minister may by order, subject to any conditions set out in the order, exempt a conservation officer from any provision of this Act.*

**(12) Section 18(1) is amended by striking out “motor vehicle, off-highway vehicle, aircraft, boat, trailer” and substituting “conveyance”.**

**NOTE:** (12) Section 18(1) presently reads:

*18(1) A conservation officer may seize any motor vehicle, off-highway vehicle, aircraft, boat, trailer or any equipment, appliance or other article or object that is being used in a park or recreation area in contravention of this Act or the regulations, or in contravention of any other Act or the regulations made under that Act, whether it is found in the possession of the person alleged to have committed the contravention or not.*

**(13) Section 18.1(1)(b) is amended by striking out** “aircraft, motor vehicle, horse, pack animal or other conveyance or a pack or container,” **and substituting** “conveyance or pack animal or a pack or container”.

**NOTE:** (13) Section 18.1(1)(b) presently reads in part:

*18.1(1) If distance, urgency, the likelihood of removal or destruction of evidence or other relevant factors do not reasonably allow the obtaining of a warrant, a conservation officer may, without obtaining a warrant,*

*(b) search any aircraft, motor vehicle, horse, pack animal or other conveyance or a pack or container,*

**(14) Section 19 is amended**

- (a) by striking out** “conservation officer” **and substituting** “park management officer or conservation officer”;
- (b) by striking out** “an officer” **and substituting** “the officer”.

**NOTE:** (14) Section 19 presently reads:

*19 If a conservation officer considers that a situation exists in a park or recreation area that is, or is potentially, dangerous to human life or health or public safety or that will be detrimental to the environment or property, an officer may take any emergency measures considered necessary to prevent such danger or detriment or any progression of it.*

**(15) Section 21 is amended**

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

- (i) in clause (a) by striking out “improvement or work” and substituting “improvement, work or equipment”;**
- (ii) in clause (c) by striking out “improvement, structure” and substituting “structure, improvement”;**

**(b) by repealing subsection (4).**

**NOTE:** (15) Section 21 presently reads in part:

*21(1) For the purposes of administering a disposition or permission respecting any activity or situation in a park or recreation area, a park administrative officer may*

- (a) enter on and inspect any land, road, highway, structure, improvement or work;*
- (c) order the removal of any unauthorized improvement, structure, work or equipment;*

*(4) The Minister may by order, subject to any conditions set out in the order, exempt a park administrative officer from any provision of this Act.*

**(16) The following is added after section 24:**

**Evidence by affidavit or certificate**

**24.1** In any proceeding under this Act in which a person is charged with a contravention of this Act relating to a requirement to hold a valid permission or to be eligible for an exemption from such a requirement,

- (a) the evidence of a person involved in the following may be given by affidavit:
  - (i) the issuance, administration or verification of a permission or exemption;

- (ii) the installation, operation, use, maintenance or retrieval of data from any electronic or automated system used to detect, record, verify or monitor compliance with this Act;
  - (iii) the issuance of a violation ticket in respect of that contravention,
- (b) an affidavit referred to in clause (a) is proof, in the absence of evidence to the contrary, of the facts stated in the affidavit and is admissible in evidence without proof of the signature or official capacity of the person signing it,
- (c) a copy of an affidavit referred to in clause (a) must be served on the defendant at least 14 days before the day of the hearing,
- (i) by ordinary mail addressed to the mailing address of the defendant as set out on the violation ticket issued in respect of the alleged contravention, or
  - (ii) by any other method permitted by the court,
- and
- (d) the defendant may, with the permission of the court, require the attendance of any person giving evidence by affidavit referred to in clause (a) for the purpose of cross-examination.

**NOTE:** (16) Evidence by affidavit or certificate.

**(17) The following is added after section 30:**

**Protection from liability**

**30.1** No action lies and no proceeding may be brought against the Crown, the Minister, a conservation officer, a park administrative officer, a park management officer or any person acting under the direction of any of them, for damages resulting from anything done or not done, including any decision or order made under this Act, if the act or omission was done in good faith in the execution or purported execution of duties or powers under this Act.

**NOTE:** (17) Protection from liability.

**(18) This section comes into force on Proclamation.**

**NOTE:** (18) Coming into force.

### **Public Works Act**

**Amends RSA 2000 cP-46**

**17(1) The *Public Works Act* is amended by this section.**

**NOTE:** 17(1) Amends chapter P-46 of the Revised Statutes of Alberta 2000.

**(2) Section 14.3(2)(b) is amended by striking out “referred to in section 9(1)(i) of the *Court of Justice Act*” and substituting “prescribed in the regulations”.**

**NOTE:** (2) Section 14.3(2)(b) presently reads:

*(2) Notwithstanding anything in this Act, the following matters may not be referred to adjudication under subsection (1):*

*(b) subject to subsection (3), any dispute in respect of a monetary claim valued in excess of the maximum amount referred to in section 9(1)(i) of the Court of Justice Act, exclusive of costs and interest;*

**(3) Section 34 is amended by adding the following after clause**

**(a):**

(a.1) prescribing the maximum amount of a monetary claim referred to in section 14.3(2)(b);

**NOTE:** (3) Adds regulation-making authority.

**(4) This section comes into force on Proclamation.**

**NOTE:** (4) Coming into force.

### **Residential Tenancies Act**

**Amends SA 2004 cR-17.1**

**18(1) The *Residential Tenancies Act* is amended by this section.**

**NOTE:** 18(1) Amends chapter 17.1 of the Statutes of Alberta, 2004.

**(2) Section 12(2) is amended by striking out “180 days” and substituting “365 days”.**

**NOTE:** (2) Section 12(2) presently reads:

*(2) If after the commencement of a periodic tenancy of residential premises*

*(a) a condominium plan that includes or is proposed to include those residential premises is registered or is proposed to be registered in the land titles office, and*

*(b) termination of that tenancy is sought for the purpose of obtaining vacant possession of the residential premises in order that the residential premises or any part of them may be sold as a condominium unit or as part of a condominium unit,*

*the landlord may terminate that tenancy by serving a notice of termination on the tenant at least 180 days before the day named in the notice for the termination of the residential tenancy agreement.*

## Women's Institute Act

### Amends RSA 2000 cW-13

#### **19(1) The Women's Institute Act is amended by this section.**

**NOTE:** 19(1) Amends chapter W-13 of the Revised Statutes of Alberta 2000.

**(2) Section 9(2) and (5) are amended by striking out** “the prescribed form” **and substituting** “a form approved by The Alberta Women's Institutes”.

**NOTE:** (2) Section 9(2) and (5) presently read:

*(2) An application for incorporation in the prescribed form shall be signed by the women desiring the formation of the institute.*

*(5) On the provincial president approving the application, the provincial president shall issue a certificate in the prescribed form, under the seal of The Alberta Women's Institutes, declaring the subscribers and all others who subsequently become members to be incorporated under this Act, with a title of which the last words shall be “Women's Institute”.*

**(3) Section 35(3) is repealed and the following is substituted:**

**(3)** Every girls' club becomes a corporation on the issuance of a certificate of incorporation in a form approved by The Alberta Women's Institutes under the seal of The Alberta Women's Institutes.

**NOTE:** (3) Section 35(3) presently reads:

*(3) Every girls' club becomes a corporation on the issuance of a certificate of incorporation, under the seal of The Alberta Women's Institutes, in the prescribed form.*

**(4) Section 37 is repealed.**

**NOTE:** (4) Section 37 presently reads:

*37 The Lieutenant Governor in Council may make regulations prescribing forms for the purposes of this Act.*

**(5) This section comes into force on Proclamation.**

**NOTE:** (5) Coming into force.







**RECORD OF DEBATE**

Stage	Date	Member	From	To
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>